

John Dick 23/3 Thence

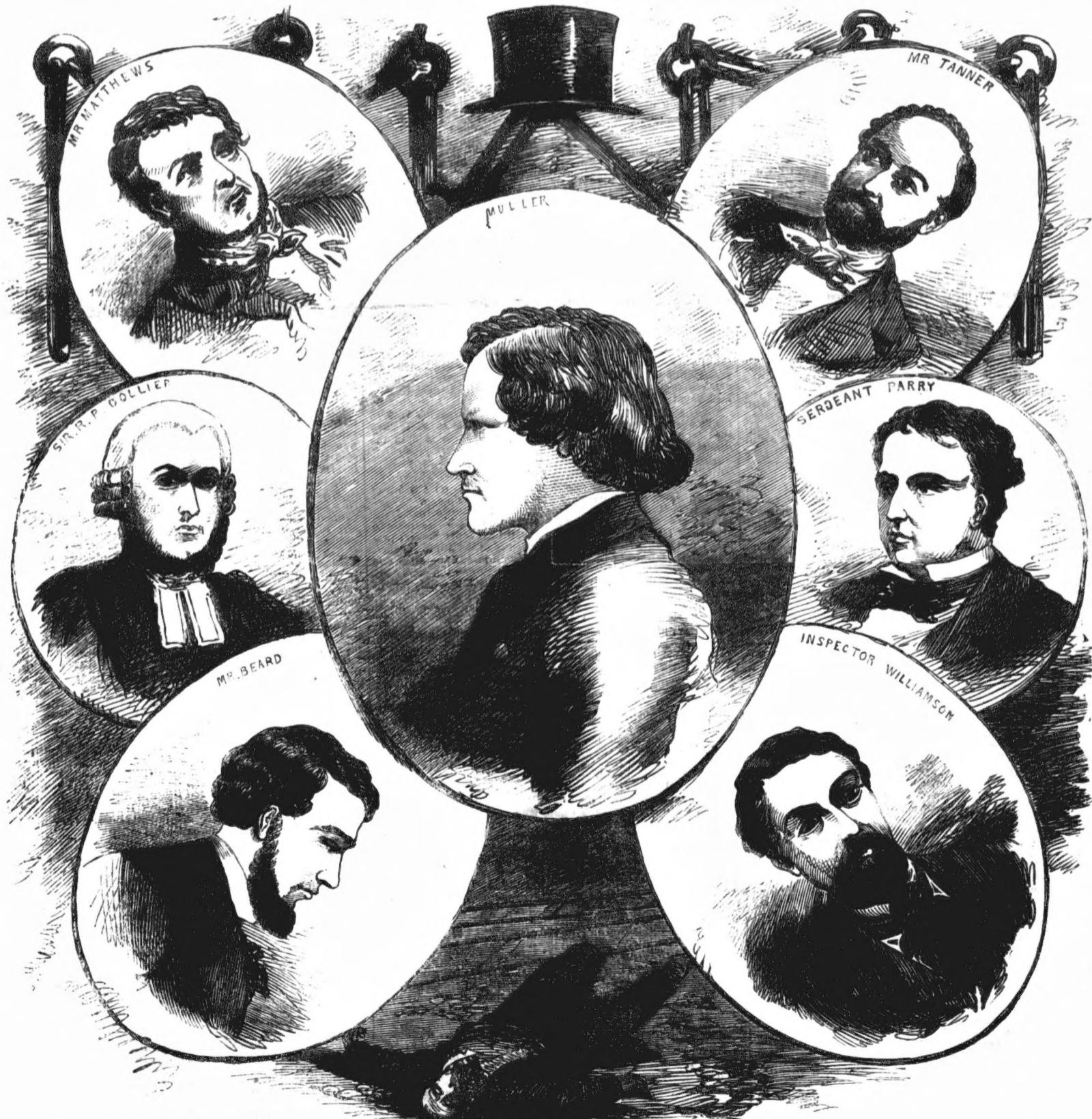
PENNY ILLUSTRATED WEEKLY NEWS.



No. 73.—VOL. II. NEW SERIES.

LONDON, SATURDAY, NOVEMBER 5, 1864.

ONE PENNY.



Notes of the Week.

The Marquis of Bristol expired on Sunday, at Ickworth Park, near Bury St Edmunds. The disease from which his lordship suffered was dysentery, and the fatal result has occasioned no surprise, his local medical attendants having for some days considered the case a hopeless one. The deceased nobleman represented Bury St Edmund's from 1830 to 1835, when he succeeded to the peerage. He held the office of Treasurer to the Household from 1841 to 1846. His politics were Liberal Conservative. The decease of the marquis, and consequent elevation of Earl Jermyn, creates a vacancy in the representation of West Suffolk, the noble earl having been elected one of the members for that division at the general election in 1859. The deceased marquis was honorary colonel of the West Suffolk Militia up to the time of his death. His lordship had always been universally respected, and his loss will be severely felt in the neighbourhood where he resided.

On Saturday, about five p.m., the train from Dublin to Galway ran off the line near Bellissario, when a carriage was overturned and two men were killed—Mr. Glencarle, a builder, and T. Henry, a servant of the company.

On Saturday morning, on the arrival of the 11.30 up train from Brighton, at Horley Station, a lady, who had just previously been seen on the platform, either stepped or fell on to the rail, and one of the wheels of a first-class carriage was seen resting on her chest as she lay face upwards. So soon as the carriage was removed the dead body was picked up, and conveyed to the waiting-room. On the train reaching London some servants who were waiting made inquiries for a lady answering her description, and it was then ascertained that she was a Miss Anderson, sixty-five years of age, residing with her sister at Park-place, Peckham, who had been staying with some friends in the neighbourhood of Horley.

R. JOHN LEECH, the prince of modern caricaturists, died on Saturday evening, at seven o'clock, in the forty-seventh year of his age, from an illness of some months, provoked, as he protested to his friends, by what is called "the organ-grinding nuisance," and indeed he even foretold that it would certainly kill him. He fled from the organ man from Brunswick-square to Kensington, but could not escape him, although he took ample vengeance upon his enemy (especially of late) in the pages of "Punch." His sketches in that paper are a monument in themselves, and sufficiently show the wonderful power of his pencil in the happy and laughable representation of the weaknesses and absurdities of modern society in every class and of every nation. The nature of his employment, and probably a great sensitiveness of organization, made him peculiarly susceptible to annoyance from noises; and to such an extent had his bodily and mental powers suffered from those that he was ordered by his medical attendants to travel abroad during last summer. He returned to England somewhat better in physical health, but even more sensitive to the torture of the street organ and similar sources of noise. He was not, however, thought by his friends to be such a terrible sufferer as he really was, and on Friday week he was able to call upon his medical man and consult with him for some time. On Saturday so little apprehension was entertained of any serious result that a party of children were enjoying themselves at his house when he expired.

FATAL LAND SLIP.—Another of those sad accidents has occurred which, like the explosion of the laboratory in the Artillery-park in March, may be said to be peculiar to Quebec. In 1841 a landslide from Cape Diamond destroyed several houses and many lives; in 1852 a similar visitation took place, the loss of life, however, being, fortunately, much less than on the first occasion; and now again, within a few yards of the spot where the former accidents occurred, Champlain-street has been the scene of another of the same kind, and proceeding from the same cause. Long continued rain, during many days, had washed away the earth from the surface of the Cape Diamond cliff, and it is only surprising that some such accident did not occur weeks ago, there being no cohesive matter to keep the masses of rock and stone together on the steep face of the precipice. Mr. Hayden, a stovetore, residing immediately beneath the Carronade Battery, was in conversation with a neighbour, and observing stones rolling down the cliff, remarked that there was some danger of a landslide. He then went into his own house, but had hardly got inside the door when the awful avalanche of loosened rock came down upon his house, burying him and his wife and child beneath. All three, and also the child of a lodger, were dead before they could be救出。 Hayden's house and the adjoining house were completely destroyed, but the inmates of the latter escaped. An infant child of Hayden, only four days old, was found among the ruins four or five hours after the accident occurred still alive, and, we believe, comparatively uninjured.—*Quebec Chronicle.*

DETENTION OF THE ROYAL TRAIN.—About two o'clock, a.m. on Saturday last, a goods train from Barrington was driven off the line near to Winslow Verney by a horse straying on the line. The animal had got through a gate, which, although securely fastened with a chain, had been completely sliced off its hinges, and thrown back into the field. To have put the gate on the line would have been a work of great labour. By this affair the royal train containing the Queen was detained nearly an hour. This is a very serious matter, and will be most carefully inquired into.

FATAL DUEL.—A letter from Berlin in the *Précureur d'Antwerp* relates the subjoined:—"Count de Fuerstenberg Stammburg has just fought a duel with M. de Hochwaechter near Vax, on the Dutch territory, when the latter was mortally wounded. The following are some details of the affair:—Some years ago there lived at Deutz, near Cologne, a Major M., who had two very beautiful daughters. The count, who possessed a very large fortune, was a constant visitor at the house. Some time after M. de Hochwaechter, brother of the deceased, and first equerry to the count, married one of the daughters, and the count gave the young couple one of his chateaux as place of residence, furnishing it with great elegance. The honeymoon, however, scarcely passed when Count de Fuerstenberg received from his equerry a letter, in which the writer stated that his wife had confessed to him that before her marriage she had had intimate relations with the count. The equerry loaded the letter with reprobates, and concluded by asking him what remained for him to do under such circumstances. The count, who had just married a Princess d'A., showed the letter to his wife and to one of his friends, Count de Hompesch, and protested his innocence. That gentleman was of opinion that the affair was an attempt to extort money, and that no notes ought to be taken of it. The matter, however, became known, and the nobility of the province was convoked as a council of honour. Their decision was in accordance with the advice of Count de Hompesch. M. de Hochwaechter, some time after, meeting that gentleman near the railway station at Cologne, assaulted him with a whip. He was brought before the Correctional Tribunal for the offence, but acquitted. In the meantime Major M., in consequence of proceedings taken by the body of officers at Cologne and the rumours which accused him of a guilty connivance in the affair, was obliged to resign his commission. Madame de Hochwaechter, after attempting to commit suicide, declared to a Catholic priest that she did not know how her husband had been able to extort from her an avowal which was completely false. A civil action was afterwards brought by M. de Hochwaechter against Count de Fuerstenberg, who had dismissed him, notwithstanding a written engagement for a certain number of years. As, however, the count firmly refused to give him any satisfaction, the brother of M. de Hochwaechter decided on publicly insulting the count."

Foreign News.

FRANCE.

The Emperor Napoleon arrived at Nice at eight o'clock on Saturday evening. His Majesty was received at the railway-station by M. Gavini, the prefect, and entering an open carriage with that functionary, Vice-Admiral Jurien de la Graviere, and General Fleury, passed through the town at a foot pace, amid the loudest acclamations from the persons assembled. The Emperor was received at the foot of the grand staircase of the prefecture by the general commanding the department, the Mayor of Nice, and Gavini. After the dinner, which occupied but a short time, his Majesty, accompanied by General Fleury, took a walk in the town, which was generally illuminated. At ten o'clock on Sunday morning the Emperor received the council general and the municipality of Nice, and was preparing to proceed to the Villa Pelion, when the Emperor Alexander came in uniform, accompanied by the persons of his suite, to pay a visit to the Emperor of France. The Emperor Alexander wished to make the first visit in order to express his thanks for the kind reception given him in France. At half-past ten the Emperor Napoleon visited in turn the Emperor and Empress of Russia. He afterwards took a walk in the town, and was everywhere received with acclamation. At noon the two Sovereigns reviewed the troops of the garrison. The rain coming on prevented the projected visit to Villefranche, where the Russian squadron and the French Imperial yacht the *Aigle* are at anchor. The Emperor Napoleon dined with their Majesties of Russia, and in the evening there was a grand representation at the Italian Theatre.

A letter from Nice of the 26th says:—"The bad weather has thwarted all the plans of the Emperor of Russia, who, however, occasionally braves the floods of rain with which we are visited. On Sunday his Majesty took a long walk on the road leading to Villefranche along the shore. He had his children with him, who were delighted to take advantage of a gleam of fine weather, which unfortunately did not last long. The Emperor met two Chasseurs of the Guard, to whom he spoke familiarly for some moments, and complimented them on the way they maneuvered at the review on the previous day. One of the men long in the service is said to have replied, 'Oh, sire, that is nothing; if you saw us on the field of battle you would think it a very different thing!'"

DENMARK.

King Christian has issued the following proclamation to the Danish fleet:—

"More peaceful relations have now supervened, and the majority among you can return to their homes. I have followed your honourable enterprise on sea with joy. Whether combating the elements during the harsh winter season—whether in battle against the enemies of the country—you have always shown courage and endurance. In resuming your peaceful occupations, retain your affection for your King and country, and for the flag under which you have fought, and, should duty again call you to arms for the defence of the Fatherland, hasten, wherever you may be, to assemble round the old *Dannebrog*. Brave sons of Denmark, I send to you all, officers, subordinates, and men, alike my royal greeting, and hearty thanks for the faithful readiness with which you have fulfilled your duty. (Signed) CHRISTIAN II."—*Reuters Express.*

DENMARK AND GERMANY.

The treaty of peace was signed on Monday at two p.m. The ratification is to take place in three weeks, and the evacuation of Jutland within three weeks from the time of the ratification.

JAPAN.

The French steamer brings news from Japan, announcing that the allies had forced a passage through the Straits of Shimonosaki with trifling loss. The Japanese fought hard. Another telegram, dated Shanghai, Sept. 21, which has arrived by the regular English mail, says:—

"The allies have successfully attacked Prince Nagato's forts in the Straits of Shimonosaki, with trifling loss. The Japanese have sued for peace. It is reported that they will agree to open the Straits."

HURRICANE AT CALCUTTA.

A terrific hurricane was experienced at Calcutta on the 5th of October, which caused immense destruction of shipping. A telegram, from Mackinnon, Mackenzie, and Co., Calcutta, dated the 13th of October, reports that the Sydney, Penjab, Madras, and Moulmein (steamers belonging to the British India Steam Company), had been driven ashore in the cyclone of the 5th of October. The two last-named had been got off much injured; the other two were still ashore. The Persia steamer, belonging to the same company, was lost in the same gale off the Sandheads, and only two of the crew saved.

AMERICA.

American news is still conflicting. Sheridan reports that Early's army, now commanded by Longstreet, appeared near Strasburg. He found them drawn up in four lines, and attacked them, but they withdrew without giving an opportunity for a serious conflict. The Confederates are fortifying Fisher's Hill. Sheridan continues the destruction of barns and mills. Two divisions of Grant's army made a reconnaissance to Darby Town-road, where they found a new formidable line of Confederate works. They assaulted them, but having been repulsed they withdrew, pursued by the Confederates. General Lee reports that the assault was easily repulsed, with a slight Confederate loss.

Priest has captured Lexington, and the Northern Missouri Railroad has been cut. Frize's movement has caused alarm in Kansas, where the militia has been called out.

Considerable excitement prevails at Memphis. Forrest is expected to attack the city. Mosby's camp, with four guns, has been captured in the Blue Ridge Mountains.

Hood's army has made a formidable demonstration in Sherman's rear, and has destroyed the railroad for twenty miles between Tunnel Hill and Resaca, and between Big Shanty and Allatoona. Hood demanded the surrender of Resaca, which was refused. He subsequently advanced and captured Dalton and a coloured regiment stationed there. Hood then moved southward, and was confronted by Stanley's corps at Snake Creek Gap. Severe fighting ensued.

We give an illustration on page 333 of the burial of the killed at the latter place.

The "YACHT TESTIMONIAL" DECLINED BY GARIBALDI.—A communication has been received by a Liverpool friend of Garibaldi, to the effect that the general has declined to receive the yacht, for which funds were subscribed by a number of the residents of Liverpool and London, and which, loaded with presents from private individuals in various parts of the country, was about to proceed, or had already proceeded, to Capri. The yacht fund, it may be remembered, was largely aided by a fancy bazaar held in Everton, and it is believed that this mode of "raising the wind" is not quite congenial to the general's feelings.

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TRIAL OF FRANZ MULLER

FOR

THE MURDER OF MR. BRIGGS.

The trial of Franz Muller for the murder of Mr. Briggs was held at the Central Criminal Court, the judges being the Lord Chief Baron and Mr. Baron Martin. The counsel for the prosecution were the Solicitor-General (Sir R. P. Collier, M.P.), Mr. Sergeant Ballantine, Mr. Hansen (junior standing counsel to the Treasury), Mr. Hardinge Giffard, and Mr. Beasley, instructed by Mr. Pollard, in the office of the Treasury. The defence was conducted by Mr. Sergeant Parry, Mr. Mattocke, and Mr. Edward Besley, instructed by Mr. Thomas Beard, of 19, Basinghall street, City, solicitor to the German Legal Protection Society, and assisted by Mr. Maynard, his managing clerk, and Dr. Juch, one of the leading members of the society. The charge against him was thus stated in the calendar:—"Franz Muller, 23, tailor, read and write imperfectly, charged with the wilful murder of Thomas Briggs." Mr. Avery, clerk of the court, read over the indictment to the prisoner, and in reply to the formal question "Are you guilty or not guilty?" he said, in a calm but firm tone, "I am 'Not guilty.'" After the prisoner had pleaded not guilty, Mr. Avery inquired of him whether he would exercise his right of being tried by a jury of Englishmen or one partly composed of foreigners? Sergeant Parry, interposing, said: "My lord, the prisoner wishes to be tried by twelve Englishmen, and he does so with the entire concurrence of his counsel. The prisoner was then formally given in charge to the jury and the trial proceeded.

The Solicitor-General, in stating the case, said Mr. Briggs was a clerk in the bank of Roberts and Co., had a house in Clapton-square, near the Hackney Wick Station on the North London Railway. On Saturday, the 9th of July, he dined with Mrs. and Mr. Buchan, relatives of his, in Peckham, and on leaving Mr. Buchan accompanied him as far as the omnibus, which would take him to King William-street, whence he could walk to the Fenchurch-street Station. At this time he had his watch and chain with him. He arrived at the station in time for the ten o'clock train, and he entered a first-class railway carriage. It would be proved to them that Mr. Briggs was robbed and murdered in that railway carriage that evening on his way home, and his body thrown out of the carriage. On the arrival of the train at the Hackney Station it was discovered that the seats were smeared with blood, and that there was on it a hat, a stick, a black bag, and other articles. In the meantime the guard of an up train saw something lying between the rails, and on coming up to it they found it was the body of a man, who was still breathing. He was conveyed to the Mitford Castle, and thence to his own house, where he died on the following day. He was found to have received several bruises, evidently inflicted with a blunt instrument, with several fractures of the skull. There were also wounds which might have been caused by his falling out of the carriage. The dress of Mr. Briggs was disordered, but not so much as to indicate a severe contest. He had been robbed of his watch and chain, but not to any further extent, for four sovereigns were found in his trouser's pocket. In the carriage there was found blood, and also by the window, near which Mr. Briggs was supposed to have sat. There was blood also on the handle of the carriage, and on the steps. The blood had been analysed by Dr. Letheby and other eminent persons, and declared to be human blood, but of that he believed there would be no question. Now the jury might be disposed to ask him whether the murder was committed by one person or by more than one. He told them frankly that he could not tell, but he thought it probable that it was committed only by one, for if it had been done by a gang of thieves the pockets of Mr. Briggs would have been rifled, and his bag opened; while, if it were done by one person, he would have had enough to do in getting possession of the watch and chain, and throwing the body out of the carriage. Nor was he able to give them distinct information as to the weapon with which the murder was committed, although there was a stick in the carriage which had blood upon it. He could not say whether it was a premeditated or fortuitous murder, although personally he thought it was the result of a sudden impulse. Then there was a hat found in the carriage, and that hat was not the hat of Mr. Briggs. It was, he presumed, an understood fact that the man to whom the hat belonged was the murderer, indeed it was as clear as though any one had seen the murder committed. The Solicitor-General then detailed several circumstances connected with the life of Muller since he came to England two years ago. He had worked for several persons, amongst others for Mr. Hodgkinson, of Cornhill, as a tailor. He was very poor, but he had a watch and chain, which he had pawned for £3 and £1 respectively. He lodged at the house of a Mrs. Blythe, near Victoria-park, also near Hackney-wick Station, and the railway would be on his way home. They had information of Muller's whereabouts on the Saturday, as he was in the habit of passing a good deal of his time at the house of a Mr. Repsch, a tailor, in Jewry-street. He left there about half-past seven o'clock on Saturday evening. His ladyship sent up for him until eleven o'clock on Saturday night, but he had not returned home at that time. But he had a latch-key with which he could let himself in. On the Sunday he was at home all day with his lady and her husband, with the exception of a walk they took together in the evening. At ten o'clock on Monday morning he was in possession of Mr. Briggs's chain. He then went to Mr. Death, a jeweller, in Cheapside, and exchanged it for another chain and a ring, of both of which he gave a false account to Mr. Repsch and to Mrs. Matthews on the same day. The chain he got from Mr. Death he pawned for 30s., and he contrived to raise 10s. 6d. more. He borrowed 6s. from Mrs. Repsch, and 4s. 6d. from Mrs. Matthews, and having raised £3, he got his own watch and chain out of pawn, and then took them to a pawnbroker, named Cox, who lent £4 for them. He then sold the ticket to a man named Glass, for 5s., thus making £1 5s. He then went to the docks and took his passage for America. But before Muller left England Muller had not only Mr. Briggs's chain but Mr. Briggs's watch. He never said anything about the watch in England, but it was found in his possession when he was arrested, and he accounted for it by saying that he had it two years. He did not say that he obtained it on the passage, and the inference was that he had it while in England. Well, then, how did he obtain it? Where was Muller to get £3 15s. to buy a chain? If he had such a sum would he not have taken his own watch out of pawn; and where did he get the money to buy this valuable watch? This was a branch of the case which the learned counsel for the defence would have to answer—for, if not answered, it would prove strong evidence on the part of the prosecution. Referring again to the hat which was left in the railway carriage—(Inspector Tanner here brought the hat into court)—this was the hat which was found in the railway carriage, and it was certainly not Mr. Briggs's hat. It bore the name of "H. Walker," Crawford-street, and had a very peculiar lining. That hat was no doubt worn by the murderer on the night of the murder, and he should be able to show that the hat was the property of Muller. One of his acquaintances was a cabman, named Matthews, who bought a hat of Walker, which Muller admired and asked him to buy him one of a similar kind, which he did, and Muller, being short of money, gave him a waistcoat in exchange. But the identity of the hat did not depend upon the cabman alone, for he should call before them Mr. and Mrs. Repsch, who would prove he wore a hat with Walker's name in it. If Muller's hat, bought at Walker's, was not forthcoming, where was it? But the case did not rest there, for the murderer, whoever he was, not only left his own hat, but took away the hat of Mr. Briggs; and he thought he

should be able to show that Mr. Briggs's hat was found in the possession of Muller when he was apprehended. Mr. Briggs dealt with hatters of the name of Digance and Co., Royal Exchange. When young Mr. Briggs first saw the hat he had doubts of its identity, as it was lower in the crown than that of his father's, and so, indeed, it was, for the hat had been cut down about an inch or an inch and a half, but not by a hatter, although it had been done very neatly. The fact was, the hat had been cut down, not by a hatter, but by some one who understood sewing; probably a tailor. Why should he have cut it down? The maker of the hat would tell them that when he completed the hat his practice was to write the customer's name under the lining, and this was the portion of the hat which had been cut away. That hat Muller wore in London, and Repech took notice of it. Muller said it was a new hat, and that he had given 14s. 6d. for it; on which Repech remarked that it looked like a guinea hat, and that was the price which Mr. Briggs paid for it. He might state to the jury that Muller's best pair of trousers, which he wore on the night of the 9th of July, were missing, as were several other articles of clothing. These were the facts which he should be able to prove. It might be true that this was merely circumstantial evidence, but the jury must remember that circumstantial evidence was frequently in such cases the most conclusive, and that it was by circumstantial evidence that some of the greatest crimes ever committed had been detected. If that evidence proved the prisoner's guilt, he was sure they would not shrink from the performance of their duties.

Evidence in support of the above was then called.

THE DEFENCE.

Mr. Serjeant Parry addressed the jury for the defence. He commented upon the absence of Mr. Lee, who was called before the coroner, and read that gentleman's depositions. He said he had spoken with Mr. Briggs at the Bow Station, on the night in question, and that there were two men in the carriage with him, whom he described, but could not say that Muller was one of them. In addition to this, Mr. Lee noticed that Mr. Briggs had his hat on, and, therefore, the first blow that was struck, which must have been immediately on leaving the Bow Station, must have crushed his hat, which, he thought, was an important fact. The learned serjeant then went on to say that he would produce evidence which would be of the nature of an *alibi*, and show that the prisoner on the night in question, and about the same time that the murder was committed, was over in Camberwell, having gone to see, as he said, his sweetheart, Miss Eldred, and that he had a carpet slipper on at the time. He should also call an omnibus driver, who remembers that, at seven minutes to ten o'clock one Saturday night, three or four months ago, a man got into the omnibus who had a carpet slipper on one foot. Every effort had been made to find the person from whom Muller purchased the hat, but he regretted that these efforts had not been attended with success.

Thomas Lee, of King Edward's-road, examined by Mr. Metcalfe: I am a time-keeper. I knew the late Mr. Briggs for the last three or four years. I last saw him alive on the 9th of July, at the Bow Station on the North London Railway. He was in first-class carriage. It was about ten o'clock, in the train coming from Fenchurch-street. It stopped at the Bow Station. It was a first-class carriage, about three or four from the engine. I spoke to him. I said: "Good night, Mr. Briggs." He replied, "Good night, Thomas." The train stopped rather longer than usual that night. I got into a second class.

Mr. Metcalfe: Was anybody in the same compartment as Mr. Briggs?—Witness: Yes, two.

Mr. Metcalfe: Was there a light in the carriage?—Witness: Yes.

Mr. Metcalfe: Had Mr. Briggs his hat on? Witness: I believe he had, or I should not have noticed him.

Mr. Metcalfe: How were the men sitting? Witness: One was sitting opposite Mr. Briggs.

Mr. Metcalfe: Where was the other? Witness: Sitting on the left hand side of Mr. Briggs on the same side.

Mr. Metcalfe: Did you notice the men? Witness: I saw one of them in particular.

Mr. Metcalfe: What was he? Witness: One was a short man with light whiskers.

Mr. Metcalfe: The other man? Witness: He appeared to be a tall, thin, dark man.

Mr. Metcalfe: To the best of your judgment is the prisoner at the bar either of those persons?—Witness: I can't swear to him.

Mr. Metcalfe: To the best of your belief, is he?—Witness: I should say not.

Mr. Metcalfe: Did you see them before the train started?—Witness: No.

Mr. Metcalfe: Did they seem as if disposed to leave the carriage?—Witness: No.

Solicitor-General: Then you saw two men in the carriage in which Mr. Briggs was murdered, and you did not give information to the police?—Witness: Yes.

Solicitor-General: Why so?—Witness: Because I thought it would be a bother to be mixed up in the prosecution.

Solicitor-General: Do you do anything?—Witness: Yes, I collect my own rents.

Was Mr. Briggs in the habit of calling you "Tom"?—Witness: Yes.

Re-examined: Mr. Briggs was a cheerful man. He generally slept in the carriage and wore his hat.

Mrs. Jones, who kept a house of ill-fame, deposed that on the night of the murder Muller called after nine o'clock upon a young woman named Eldred, who lived with her. But neither Jones nor Eldred were able to swear to the exact time of Muller's visit.

An omnibus conductor, named Forman, recollects a person with a slipper on one foot mounting his omnibus one summer evening, but could not identify the prisoner.

THE SUMMING UP.

The Lord Chief Baron proceeded to sum up the case to the jury. He said the prisoner was indicted for the wilful murder of Mr. Briggs, and it would be for the jury to say, from the evidence that had been laid before them, whether the prisoner was guilty or not. He would state to them the facts as they had been brought before them, and it would be for them to form their own opinion. It had been argued that it was a case of circumstantial evidence. It was so in almost every case tried in court by evidence of that nature. The majority of criminal offences decided in the courts of this country depended upon circumstantial evidence. Direct evidence might be mistaken in various ways, in the person, or in many other ways. The indirect testimony of a number of facts, all concurring to the same direction, does away with the idea that there can have been perjury or a mistake. There was another question he would go into, which was the degree of certainty with which they ought to agree. Serjeant Parry had said they must not find the prisoner guilty unless they were as satisfied as it they had seen him commit the act. He did not think that was exactly the certainty they ought to feel. It was only necessary to have that certainty with which they would transact their most important concerns, although the present inquiry was a most important one to the prisoner. To require more would not tend to lessen crime in the country. Serjeant Parry had said it was better that many guilty should escape than one innocent should suffer. There were instances where innocent persons had been confounded with the guilty, and had been convicted as such. The

only rule to be laid down was to use the utmost vigilance, and take care if a man be innocent he should be acquitted. The jury should take the facts of the case and consider those which they believed from those they did not believe, and draw the conclusions which result from these facts, and whatever be the conclusions arrived at, he thought they might rely upon a safe issue. There could be no doubt if the case for the prosecution did not bring home to their minds the satisfactory conclusion that the prisoner was guilty, he was entitled to be found not guilty. It was said the prisoner was not of such a stature and strength as would be required to commit the deed. If they believed he could not have done it, he was entitled to a verdict of not guilty. And the third line of the defence was in the nature of an *alibi*. If you come to a satisfactory case on the part of the prosecution, and were this met by an *alibi*, I think it should be weighed against the case for the prosecution. It becomes their province to sift the *alibi*, and to weigh it well with the case for the prosecution, and they were called upon to decide to which side the truth leans. Mr. Briggs appeared to have got out at London-bridge from an omnibus, and went to the Fenchurch-street Station intending to go to Hackney, and he was seen at the Bow Station. His lordship commented on the evidence of Mr. Lee, and said he thought the prosecution were right in not calling him. Mr. Briggs was found about one-third the distance from Hackney-wick upon the line, his head towards Hackney-wick. He drew the attention of the jury to this because it showed that Mr. Briggs must have been put out of the carriage foot passenger. He informed the jury that whether Mr. Briggs jumped out or not it would make no difference to the person charged with the murder, as it was clear he had received several desperate wounds before leaving the carriage, and if he left the carriage from the fear of the violence of whoever was inside it would be equal; but Mr. Briggs's hat was gone and another left the place, and his watch and chain were gone. On the following Monday Mr. Death exchanged a chain, and, in consequence of exchange, pincers were sent out to anticipate the arrival of Hinkles at Amsterdam, and in the prisoner's box was found the watch and a hat also, which was at first said was not Mr. Briggs's, because it was too low; but it turned out to have been cut down. The hat found in the carriage and the watch and chain are the same links in the chain of evidence for the prosecution, all of which were distinctly apart from each other, and if any one of them were made out, it would be for the jury to say whether he had given a satisfactory account. The prisoner was in possession of the chain on the Monday; but there was no evidence that he had the watch at that time. The prisoner had never said he had bought the watch and chain at the docks.

Serjeant Parry said the counsel for the prisoner had stated so after an interview with the prisoner.

The Lord Chief Baron said that was his counsel's suggestion. The prisoner himself had said he had the watch for two years. His lordship then alluded to the hat, which was said to be the hat of Mr. Briggs, and said it was proved, as far as it possibly could be, that it did belong to Mr. Briggs, and it would be for the jury to say whether they were satisfied of the fact. He remarked that if half the industry that had been exercised in finding all the old hats of Mr. Digance had been devoted to finding out the person of whom the prisoner bought it, he could have been found.

Serjeant Parry reminded his lordship that Mr. Digance had said he would not swear it was the hat he supplied to Mr. Briggs.

The Lord Chief Baron said that was undoubtedly so; but it was for the jury to say how far what that witness had said led them to the belief that that was the hat. The circumstances connected with the second hat were certainly of rather a peculiar nature. The hat had a remarkable lining, of which Mr. Walker had very few, not more than two, of that description. With regard to the *alibi*, it was a matter so entirely for the consideration of the jury that he should say but few words, and he briefly alluded to the evidence given by the witnesses, and said it would be for the jury to consider the whole facts spoken to by them, and say whether it established it without doubt in their minds. He remarked that he might have returned from Camberwell by the same route as Mr. Briggs to the City, and he might have gone the same route from the City to his own home. His lordship said they were all the facts to which he thought it necessary to draw the attention of the jury. If they wished to have the whole of the evidence read over he would do so.

The jury said it was not at all necessary.

His lordship, in conclusion, said the verdict was to be entirely the jury's, and he urged upon them, if they had gathered from him in his remarks anything that would prejudice their minds, to banish it entirely at once. He had endeavoured to be as impartial as possible, and he was sure they would acquit themselves of their task in a manner consistent with their conscience and their duty to their country; and might the God of all truth guide their hearts and judgment to a verdict according to the truth and justice of the case.

VERDICT AND SENTENCE.

The jury retired to consider their verdict at a quarter to three o'clock, and after an absence of fifteen minutes returned into court. The judges having resumed their seats on the bench the names of the jury were called over.

Mr. Avery, Clerk of the Arraigns, asked the gentlemen of the jury if they had agreed on their verdict.

The foreman of the jury: We have.

Mr. Avery, Clerk of the Arraigns: Do you find the prisoner at the bar guilty or not guilty of the murder wherewith he is charged?

The foreman: "Guilty."

Mr. Avery, Clerk of the Arraigns: You say that he is guilty, and that is the verdict of you all?

The foreman: Yes.

Mr. Avery, Clerk of the Arraigns: Prisoner at the bar, you stand convicted of the crime of murder. Have you anything to say why sentence of death should not be pronounced upon you according to law?

The prisoner, whose only indication of emotion, even at this terrible crisis of his fate, was seen in the slight involuntary twitches of his firmly compressed upper lip, replied: "I have nothing to say before judgment."

Mr. H. Martin having put on the black cap, addressing the prisoner, said: Franz Muller, you have been found guilty by the jury of the murder of Mr. Briggs, and it is no part of our duty to express generally any opinion with respect to the verdict of the jury. It is their province to decide upon your guilt or your innocence. But it is usual for the judges to state, in passing sentence, if they entirely concur in the verdict, and they do so for two reasons. It is satisfactory if the opinion of the judges concurs with that of the jury, and I am authorized by the Chief Baron to state, and I state on my own behalf, that we are perfectly satisfied with the verdict, and had I been on the jury I would have concurred in it. And there is a second reason for the statement, in order to remove entirely from your mind any idea of the possibility that you will live in this world much longer. Within a short period you will be removed from it by a violent death. I therefore beseech you avail yourself of what I have no doubt will be afforded you—that means, so far as you can, of making your peace with your Maker, and be prepared to meet that life which very shortly awaits you. I have going into the particulars of the case; but there are a variety of circumstances in it which, if the evidence had been gone into more minutely would have more and more tended to establish your guilt. The whole evidence as to your movements during the day of the murder points to that conclusion. You left the house of Repech till between seven and eight, when, according to the testimony of a witness who was evidently favourable, you started at a quarter to eight, telling him you were going to Camberwell to see the young woman Eldred. You went there. It may be that Mrs. Jones supposed she was telling the

truth when she says you were there after nine o'clock, but in my opinion she was in error, and from the time you left the City it was earlier; but still you had time to return by omnibus towards the Fenchurch Station before the train started, where, observing Mr. Briggs, probably exhibiting this watch and chain, you formed the determination to rob him. There are other circumstances which tend to the same conclusion. What is your history during the following week? You exchange the chain of Mr. Briggs for another at Mr. Death's. You immediately proceed to pledge that chain in order to receive a sum of money upon it. Having done so, you take out of pledge your own watch and chain, and having got them, you proceed to pledge them again at another shop for a higher sum and sell the ticket. If the real truth were known, I have no doubt it would be found that, moved by the devil, and for the purpose of getting money to go to America, you robbed Mr. Briggs of his watch and chain, and with these contrived, with assistance from your friends, to get sufficient money to pay your passage. That, there can be little doubt, is the true history of the transaction. I refer to these facts for the purpose of removing from your mind all idea of there being any possibility of a commutation of sentence. I must say, after listening to all the evidence which has been adduced, I feel no more doubt that you committed this murder, than I do with reference to the occurrence of any other event of which I am certain, but which I did not see with my own eyes. The sentence I have now to pass on you is not that of the Chief Baron; it is not my sentence; it is the sentence which the law of England imposes on all persons found guilty of murder, and that is, that you be taken back to the prison whence you came, and thence to the place of execution, and there be hanged by the neck until you are dead, and then your body, when dead, be taken down and buried in the precincts of the prison where you were last confined before this sentence of execution was passed upon you, and may the Lord have mercy on your soul.

The last solemn words were scarcely uttered, when two prison warders, standing immediately behind Muller, came forward to remove him from the bar.

The prisoner, who continued to display surprising firmness and self-possession, said, "I should like to say something. I am at all events, satisfied with the sentence which your lordship has passed. I know very well it is that which the law of the country prescribes. What I have to say is, that I have not been convicted on a true statement of the facts, but on a false statement."

The prisoner had not completed the last sentence, when his iron resolution and the stern self-command which, though of somewhat slender physical conformation, he had maintained throughout the trial with an imperturbability which showed him capable of the most desperate efforts, entirely gave way, and the miserable man left the dock dissolved in tears.

We have given in our front page a portrait of Muller, and also portraits of the principal parties figuring in this memorable trial, including Matthews, the cabman, Inspector Tanner and Williamson, Sir R. P. Ollier (Solicitor-General), Serjeant Parry, and Mr. Beard. Our other illustrations are the interior of the Old Bailey during the trial, Muller in the dock, and the jurors' sleeping apartment at the London Coffee House.

THE CONVICT MULLER.

WHEN Muller had finished the few sentences he addressed to the court on Saturday afternoon he was conducted by a couple of gaolers, and followed by Mr. Jones, the governor of Newgate, through a subterranean passage leading to the condemned cell. For the first few moments after he was taken out of the dock his demeanour was that of one who did not fully realize his awful position—he seemed in a state of semi stupor. He did not speak a single word, and it was not till some time after he had been locked in his cell that any very great change in his conduct took place. From the moment the verdict was delivered his countenance became set as it were with a death-like pallor, which afterwards passed away in a paroxysm of tears, to which he gave vent soon after reaching his cell. This grief continued on him for some considerable time, but it seemed subsequently to restore his wonted composure, which he has since preserved with a becoming humility. He afterwards partook of some slight refreshment, and lay down to rest, but he did not sleep much through Saturday night. He rose early on Sunday morning, and according to custom, attended Divine service in the prison chapel. He appeared deeply absorbed in the exertions of the rev. chaplain, and otherwise conducted himself with an air that bespoke his deep sense of his approaching end.

On Monday morning he was visited by the sheriff, who communicated to him the fact that his execution was fixed for that day fortnight, namely, Monday, the 14th of November.

He received the awful message as if he fully expected it, but made great efforts to suppress the inward emotion which it necessarily created.

A HEARTLESS SCOUNDREL.—A sharper took passage on an emigrant ship that recently sailed from Bremen, and arrived in port in Baltimore a few days since, and convincing the emigrants that gold was not current in the United States, succeeded in buying with greenbacks nearly all the gold in the possession of the passengers, at a discount of thirty per cent. The sharper cleared upwards of \$3,000 dollars by his shrewd rascality.—*Toronto Globe*.

UNUSUAL VULPACIDE.—Some few days ago a sly fox entered the house of Mr. Arnold, Catas Farm, near Heather. He made his entrance through the parlor window, and went very orderly upstairs to bed. While having a sweet repose the housekeeper opened the room door, and to her surprise, observed Reynard—who she thought was a dog—in bed. She informed the master of the fact, but he was taking much notice of it she told the ploughman, who went to see if the intruder had made his exit, but he had not. He became alarmed, and ran off to inform the waggoner, who immediately went, with club in hand to defend himself. Reynard was still asleep, and the waggoner dealt him a heavy blow on the head and killed him while in his cosy position.—*Leicester Journal*.

WALKING MARATHON FOR \$100.—A large assemblage of the admirers of this sport took place on Monday afternoon at the West London Cricket Ground, Brompton, to witness the great four miles walking match, for a stake of £50 a side, between H. Barnard, of London, and James Miles, of Liverpool (the champion). Barnard being allowed a start of one minute. To complete the distance the men had to make the circuit of the course twenty-four times. The time appointed for the start was four o'clock, and at fifteen minutes past four the men made their appearance on the ground, Miles being attended by W. Jones, while W. Richards waited upon Barnard. Mr. E. Smith was appointed referee. The betting opened at 5 to 4 on Miles, but finally settled down at even. On Barnard being told to go he started at a rattling pace, covering in the minute allowed him no less than 340 yards. Miles, from the start, gained a little upon his opponent, and completed the first mile in seven minutes two seconds, his opponent's time being seven minutes seven seconds. Two miles were done in fourteen minutes twenty seconds by Miles; fourteen minutes fifty-eight seconds by Barnard, who led by about 140 yards. The first three miles were completed in twenty-one minutes forty-four seconds by Miles, who had so rapidly decreased his opponent's lead that at this part of the race he was only two yards in the rear, and passed him in the next lap, amidst the deafening cheer of his partisans. Miles, as soon as he found that he had got his opponent safe, gradually left him in the rear, and finally won by a dozen yards, accomplishing the distance in the unprecedented time of twenty-nine minutes one second.



NOV. 5, 1864.

M. BERRYER.

M. BERRYER, the great French lawyer, who comes to this country by invitation of Lord Brougham, was born at Paris, January 4th, 1790. When still very young, he was sent to the Jesuit College of Juilly, where he first imbibed the strong religious convictions which have marked his subsequent career. These religious impressions were so deep, that he at one time intended entering a monastery. However, he had to give way before the counsel of his father, who was himself an eminent advocate, and wished his son to adopt the same profession. After leaving college, he enrolled himself as a student of law, and, having passed all his examinations, in 1814 began to practise as a barrister. He at once distinguished himself among his colleagues, and before twelve months had elapsed (in 1815) he assisted his father and M. Dupin in the defence of Marshal Ney. In 1816 he pleaded in another celebrated trial, that of the Baron Dibelle, against the Count d'Angles, the Chief Commissioner of the French police. But it would extend this notice to too great a length were we to enumerate all the famous trials in which M. Berryer has distinguished himself. We will only mention one instance illustrative of the man as well as the lawyer. Some years ago he was retained in the trial of one Dehors, who had been twice condemned to death by the Courts at Evreux and Rouen, and whose trial finally came before the High Court of Appeal in Paris, where, owing to the eloquent pleading of M. Berryer, who was firmly persuaded of his innocence, Dehors was at last acquitted. As soon as he had left prison Dehors, full of gratitude, ran up to M. Berryer, and, pressing a bundle of banknotes into his hands, begged the famous lawyer to accept them as a recognition of his services. But M. Berryer, comprehending at once that his acceptance of the sum might prove the future ruin of the family, exclaimed, "I am proud of the services I have rendered you. Permit me to supplement them by giving a dowry to your daughter, and to your son the means of completing his education." Having spoken these words M. Berryer divided between the two children the bank notes which Dehors had placed on the table. Which shall we most praise, the generosity or the unostentatiousness of an act like this? M. Berryer has been long considered by most people as one of the greatest of French orators since the time of Mirabeau. In person he is rather under than over the middle size, but his features are full of expression, and reflect all the fire and passion which burn within him. There is something fascinating in his glance. The effect of his impassioned rhetoric cannot be given by the most skilful shorthand writer, for its force lies in those qualities which cannot be transferred to paper. Who can give the exquisite intonations of that rich and melodious voice, or the graceful energy of his action? That action and that voice are



M. BERRYER, THE EMINENT FRENCH ADVOCATE.

never so much displayed as in the fire of his declamation. Other orators may be interrupted by the applause of their hearers, but M. Berryer is listened to with almost breathless silence, as if they feared to lose even one note of that deep voice, or miss one single wave of that arm. His voice is heard distinctly, whether it be high or low; and, when it ceases, you long to hear it again, and hesitate by the slightest movement to break the spell. The variety of his intonation cannot be surpassed, whether his words be simple and

familiar, bold, or rich with ornament. In sarcasm he is powerful, and his person swells under interruption.

THE EMPEROR NAPOLEON.

We give an engraving below of the Emperor Napoleon passing through Toulon to witness a sham fight by the squadron; also, on page 325, a full page engraving of the meeting between the two Emperors. This imperial meeting took place at Nice, on Friday week. At the moment when the Emperor Napoleon was about to pay a visit to the Czar, his Russian Majesty called upon the Emperor, wishing to make the first visit in order to thank the Emperor for the hospitable reception he had met with since his arrival in France.

The Emperor Napoleon arrived at Toulon, on Saturday, at one o'clock, and immediately on arriving his Majesty proceeded to the squadron in the roadstead. The Emperor disembarked from the fleet at five p.m., having witnessed the sham attack of Toulon by the squadron.

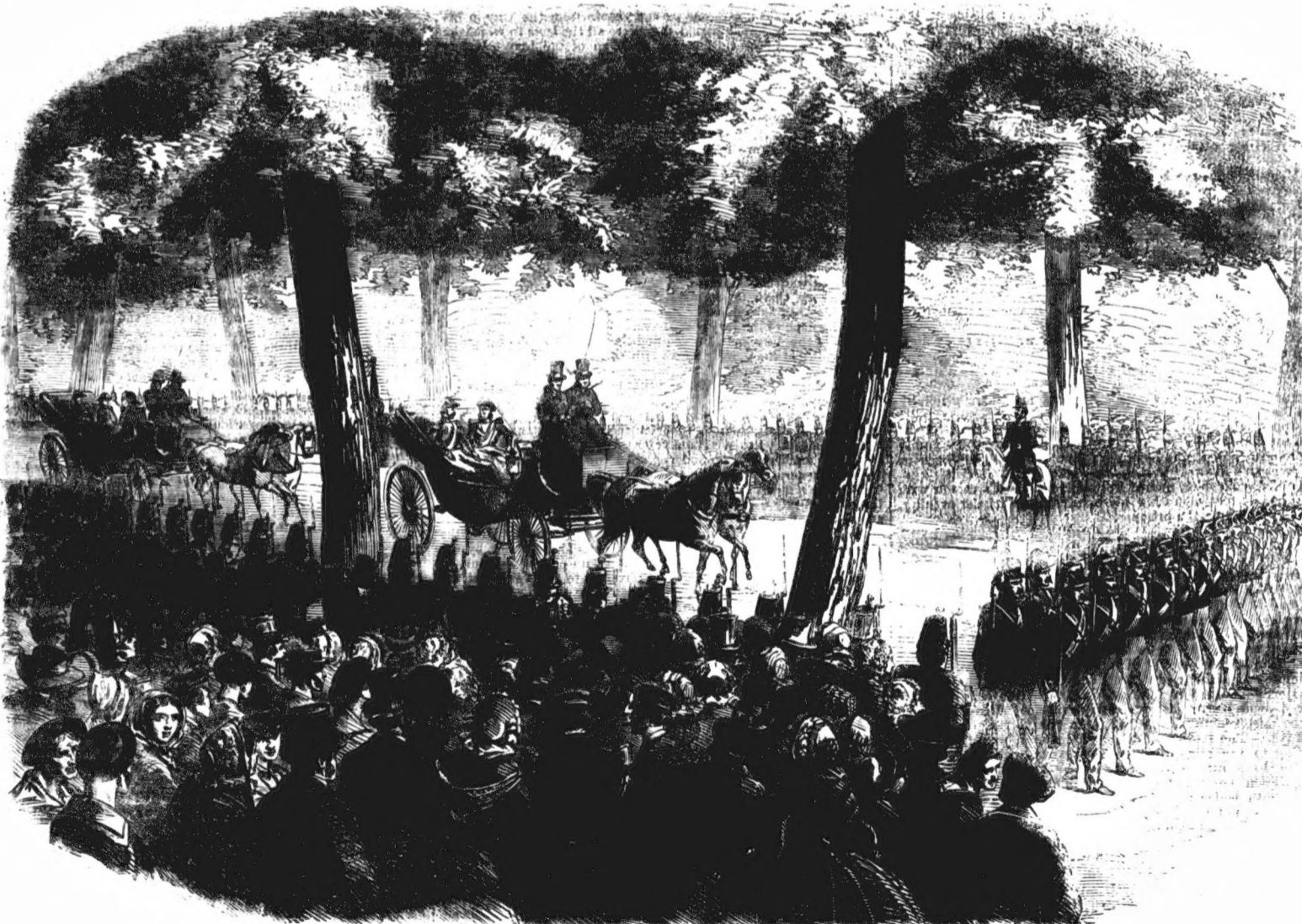
The Czar passed through Toulon the following day.

THE EMPEROR OF RUSSIA IN FRANCE.

A LETTER from Nice gives some details of the review of Chasseurs of the Guard by the Emperor. It says:—“Rain fell without intermission from eight in the morning. About one the wind veered round to the south, and continued to blow with great violence. The rain however did not prevent the Emperor of Russia from reviewing the battalion of Foot Chasseurs of the Imperial Guard. When Alexander II. arrived in the Champ-de-Mars the band played the Russian National Hymn. His Majesty wore the uniform of colonel of the Chasseurs of the Russian Guard. After having examined very attentively the arms and equipments of the French soldiers, and conversed with several of the sub-officers, he passed along the front of the battalion. It was remarked with legitimate satisfaction that his Majesty bowed low in giving the military salute as he passed before the flag, the eagle of which has been decorated with the Legion of Honour since the battle of Solferino. The inspection having terminated, the Count de Geslin put the battalion through several manoeuvres, and the precision with which they were executed, and the agility of the

soldiers, excited the warm approbation of the Czar. After the filing off, the Emperor Alexander called the officers to him, and congratulated them on commanding such soldiers, and thanked the Count de Geslin, their commander, shaking him at the same time by the hand.”

MESSRS. COURTS AND CO. HAVE RECEIVED £500 FOR THE NATIONAL LIFEBOAT INSTITUTION FROM A FRIEND, BY THE HANDS OF L. H. H.



ARRIVAL OF THE EMPEROR OF THE FRENCH AT TOULON.



THE MEETING OF THE EMPERORS OF RUSSIA AND FRANCE AT NICE.

Nov. 5, 1864.

DICK WHITTINGTON NUMBER

of
BOW BELLS,
On Lord Mayor's Day,
FOR EVERYBODY.

DEAR PAPA,
Do Buy Me the
DICK WHITTINGTON NUMBER

of
BOW BELLS,
On Lord Mayor's Day.

DEAR MAMMA,
Oh, do Buy Me the
DICK WHITTINGTON NUMBER

of
BOW BELLS,
On Lord Mayor's Day.

FATHERS AND MOTHERS,
Buy the
DICK WHITTINGTON NUMBER

of
BOW BELLS,
On Lord Mayor's Day.

BOYS AND GIRLS,
Buy the
DICK WHITTINGTON NUMBER

of
BOW BELLS,
On Lord Mayor's Day.

UNCLES AND AUNTS,
Buy the
DICK WHITTINGTON NUMBER

of
BOW BELLS,
On Lord Mayor's Day.

GRANDFATHERS AND GRANDMOTHERS,
Buy the
DICK WHITTINGTON NUMBER

of
BOW BELLS,
On Lord Mayor's Day.

APPRENTICES,
Buy the
DICK WHITTINGTON NUMBER

of
BOW BELLS,
On Lord Mayor's Day.

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ELIZA COOK.

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With No. 2 is presented a New Ballad, by Albert Dawes.
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Supplement to New Designs of Fancy Needlework, obtained direct from
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ELIZA COOK.

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No. 14 will contain the

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THE CHILDREN IN THE WOOD,
being the second of the series of beautiful coloured engravings, which will
be issued from time to time with

"BOW BELLS,"

will be published simultaneously with the Great

WHITTINGTON NUMBER

ON

LORD MAYOR'S DAY,

November 9th.

The original drawing is made expressly for this magazine by the cele-
brated artist, HUARD. The subject chosen is

DICK WHITTINGTON AT HIGHGATE,

turning towards London, and listening to the

SOUND OF BOW BELLS.

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Immense expense and labour have been bestowed in producing a
Number of rare excellence.

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of an entirely

NEW AND ORIGINAL TALES,

founded on facts, and entitled

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THIRCE LORD MAYOR OF LONDON.

Illustrated by EDWARD CORBOULD.

A new ballad, called

TURN AGAIN, WHITTINGTON.

Music by W. H. MONTGOMERY.

Words by

ELIZA COOK.

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A PORTRAIT OF WHITTINGTON AND HIS CAT,

Whittington College, Old St Paul's
Bow Church, Whittington's Stone at High-
Whittington's House.

Drawn by W. H. PRIOR.

PICTURESQUE SKETCHES,

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Continuation of the admirable story of

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LORD MAYOR.

Drawn by WILSON.

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Illustrated with Patterns of Needlework of the Newest Fashions.

ONE PENNY, WITH SUPPLEMENT, GRATIS.

WITH COLOURED PICTURE, TWOPENCE.

CALENDAR FOR THE WEEK.

ANNIVERSARIES.

H. W. L. B.

| | | A. M. | P.M. |
|----|---|---|-------------|
| 5 | s | Gunpowder Plot | 5 14 5 37 |
| 24 | s | 24th Sunday after Trinity | 6 1 6 30 |
| 6 | S | John Milton died, 1674 | 6 58 7 31 |
| 7 | m | Cambridge Term divides | 8 11 8 51 |
| 8 | t | Princes of Wales born, 1841 | 9 31 10 8 |
| 9 | w | Marion Luther born, 1483 | 10 41 11 20 |
| 10 | t | French Consulate established, 1799 | 11 41 — |
| 11 | f | Moon's Changes.—First quarter, 6 h, 11h. 53m p.m. | — |

Sunday Lessons.

AFTERNOON.

Proverbs 13; St. Luke 22.

Proverbs 14; Thos. 4.

NOTICES TO CORRESPONDENTS.

* Correspondents finding their questions unanswered will understand
that we are unable to do so, either from their peculiarity, or that our
correspondents with little trouble could readily obtain the information
themselves.

PUBLISHING DEPARTMENT.—All letters to be addressed to Mr. JOHN DICKS,
318, Strand. Persons unable to procure the PENNY ILLUSTRATED WEEKLY
NEWS from newsagents, or agents, may forward the amount for a single
number, or for a term of subscription, by money order, payable to Mr.
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carriage of the paper. The termination of a Subscription will be indicated
by the journal being sent in a blue wrapper. Receipt stamps
cannot be received in payment of a subscription to this journal.

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quarter, so as to receive the two newspapers through the post, may
remit a subscription of 3s. ad. to Mr. JOHN DICKS at the Office 318,
Strand.

* All communications for the Editor must contain name and address.
Rejected manuscripts will not be returned.

Y. L.—The custom of choosing Valentines is of long standing; and as
early as the fifteenth century it was practised in England. Like many
other observances, it is no more than an analogy to a custom that pre-
vailed when paganism flourished. At the festival of the Roman Lupercalia,
amidst other ceremonies, it was usual to put the names of a
number of young women into a box, from which they were drawn by the
men as chance directed. The pastor of the early Christian Church,
who endeavoured to eradicate the vices of pagan superstition, substituted
in the present instance the names of particular saints in lieu of those
of the women; and as the festival of the Lupercalia used to take place
about the middle of February, they chose St. Valentine to mean, the first
woman seen by a man, or man seen by a woman, on that day.

P. F.—Send us your address and we will recommend you a respectable and
intelligent solicitor.

ORLANDO.—The Surrey Theatre was first built by Hughes and Dibdin, the
song writer, and opened Nov. 4, 1822, as the royal circus for equestrian
exhibitions. It was destroyed by fire in 1806, and rebuilt in 1806.

L. W.—Apply to Mr. Harvey, at the institution for diseases of the ear.
The address, Dean-street, Soho.

J. X.—It is rather singular that Thursday has been a day fatal to the ex-
istence of several sovereigns who have held sway over England, and
especially to King Henry VIII., and all his posterity; for he himself died
on Thursday, the 28th of January; King Edward VI., on Thursday, the
9th of July; Queen Mary, on Thursday, the 17th of November; and
Queen Elizabeth, on Thursday, the 24th of March.

L. B. C.—The degree of Bachelor of Law in nowise qualifies in the way of
admission to the profession of barrister.

ELLEN S.—The interest on three per cent stock may be allowed to ac-
cumulate for fifty years; but should more than ten years elapse, some
delay may be occasioned, as the bank is bound to hand over the interest
to Government after that period, if not otherwise provided for.

RICHARD.—Macready gave his final performances at the Haymarket
Theatre.

PHILO.—It was at Wolverhampton, in September, 1862, that Mr. Gainsford
and Mr. Coxwell were both lost their lives through ascending too high,

viz., upwards of six miles.

T. R. F. (Pembroke).—Thanks for your kind offer; but respectfully de-
clined.

B.—The Queen granted the title of royal highness to Prince Louis of
Hesse on the 5th of July, 1862, at the same time creating him a Knight
of the Garter.

MAZZEPA.—Philip Astley was a native of Newcastle-under-Lyme, Stafford-
shire, and was the son of a cabinet-maker. At the age of seventeen he
enlisted in a troop of Elliott's Light Horse. He died at Paris in 1814,
aged seventy-three. He erected nineteen pieces of public amusement,
among them the Olympic Theatre.

H. B.—Albert Skinner, who built Skinner-street, originally proposed a
bridge to span the valley from Snow-hill to Holborn-hill. Holborn was
first paved 1817 at the expense of Henry V.

GEO. M.—The only three proper ways of addressing a duke of the
British peers, is "My lord duke," "My lord," and "Your grace."

THE PENNY ILLUSTRATED WEEKLY NEWS.

SATURDAY, NOVEMBER 5, 1864.

REGISTERED FOR TRANSMISSION ABROAD.

The case of Muller will add one of the strangest to the list of our
remarkable criminal trials. It exhibits in a singular degree the
difference between direct and circumstantial evidence; the testi-
mony which comes from an eye-witness of the deed, and the testimony
which builds up conviction through a series of separate and
at first sight, disconnected facts. Who could have dreamt that,
when Mr. Briggs, on the one hand, and Muller, on the other, each
purchased some months before a new hat, they were doing an act
which should ultimately lead to the identification of the one as the
murderer of the other? Or who could have thought that the trans-
mission of an ordinary telegraphic message on the fatal day between
two persons entirely unconnected with the deed should be the means
of fixing the presence of the murderer in the close neighbourhood
of his victim on their common journey homewards? Yet from the comparison of a number of such slight and
trivial circumstances a conviction was at last wrought in
the minds of the jury that Muller—a man of quiet
and harmless habits, whom none had seen that night within many
miles of the scene, on whose person and clothes no signs of guilty
violence had ever been remarked—was the one man in all London
by whom a most violent and ruthless murder had been committed.
For the leading facts, established by indisputable testimony, are
these:—That Muller and Mr. Briggs were in the same distant
neighbourhood at about the same hour on the night of the murder,
the homes of both being on the North London line; that Muller
did not reach his home till at least after eleven at night; that being
in want of money to pay his passage to America, he raised it by
pawning Mr. Briggs's chain on Monday morning; that although so
poor, Mr. Briggs's watch was found in his box; that a hat made
by Mr. Briggs's maker, but altered in an unusual manner, and just so
far as to get rid of the name, was also in his possession, while a hat of
a description of which only two or three had ever been made in
England, and identified as his, was found beside the murdered
man. Against these facts the jury could not give heed to the sole
favourable circumstance that no spots of blood were noticed on
his dark dress, nor to the allegation that he was too slight to pitch
his victim out of the carriage. We must remember the strength
which excitement gives; and we may fairly ask where Muller was
during the whole night, of which his defence gave no account, and
which therefore might, on the supposition of guilt, be employed for
removing the appearance of a few spots of blood from a pair of
dark trousers and a dark coat, never recovered so as to be sub-
jected to critical examination. These bare possibilities of innocence
cannot overcome the irresistible conviction induced by the concur-
rence of so great a variety of independent circumstances, each of
which is naturally capable of explanation only by the fact of his
guilt. It is this combination which gives circumstantial evidence
its damning character; and the verdict of the public will, we think,
concur with that of the jury in regarding it in Muller's case as
conclusive.

The difficulty of manning the navy has again become a subject
of anxious discussion

General News.

WHILE the Empress Eugenie stayed at Schwalbach she received on an average twenty to thirty begging letters a day from all parts of Germany, and particularly from Nassau, Hesse, Baden, and Prussia. The cities in the latter kingdom which have most distinguished themselves in this way are reported to be Cologne, Bonn, Berlin, and Potsdam. A considerable number of supplicants further addressed her Majesty from Hamburg and Bremen. The Empress is said to have sent money-letters in reply to all these applications; and in this way, as well as in the alms she lavished on the beggars of Schwalbach and the neighbourhood, the imperial lady is stated to have given away, during her three weeks' stay in that locality, not less than 20,000L (£800).

A very daring robbery of a jeweller's shop window was effected in St. Ann's-street, Manchester, the other evening. A half-brick was first of all dashed through the window, and a case containing nineteen diamond rings, worth about £500, was stolen. The thief was seen and pursued, but he escaped, leaving at least thirteen out of the nineteen rings behind him. He had dropped them, by design or accident, and it is possible that the others may be recovered.

We (*West Sussex Gazette*) were a few days since favoured with the sight of an enormous pumpkin, which has been grown in the gardens at Arundel Castle. It is the largest we have ever seen, measuring in circumference, we are told, no less than eight feet six inches.

NUMBER 3 martello tower, near Bray, has been found shaken in the foundation, having been assayed by the seas round in along the coast during the recent gales. It is considered to be in an unsafe state.—*Dublin Mail*.

THE enormous piggery at Portesham, in Dorset, now contains a herd of swine nearly 4,000 in number. The animals are chiefly fed on wheat and maize. Pig meat is 2s. a score dearer than it was at this time last year, owing to the scarcity of butchers' meat in general.

GENERAL TOM THUMB, his wife and child, accompanied by three friends, sailed from New York on the 29th of October, for Liverpool. They are now "rich and happy," and intend taking a tour of pleasure through all the principal cities of Europe.

ALL SERENE.—The money panic has subsided, and in the banks a Sabbath-like serenity prevails.—*Chicago Journal*.

STRYCHNINE POISONING IN SWITZERLAND—The Court of Assizes of Berne commenced the day before yesterday the trial of Dr. Hermann Demme, a professor of the University of Berne, aged thirty, on a charge of having on the 15th of February last caused the death of M. Trumy, a banker and commission agent, by administering a strong dose of strychnine, while attending him as a physician. The widow of the deceased was also charged as an accomplice in the crime. The circumstances of the case, as stated in the indictment, are briefly as follows:—In the night of the 15th February last, M. Trumy died at his country seat at Waberd, near Berne. Two days later rumours reached the Prefect of Berne that the deceased had committed suicide. He therefore at once applied to the prisoner, Dr. Demme, who had attended the deceased in his last illness, to present a report as to the causes of death. The prisoner at once acceded to the demand, and presented a report, in which he attributed the death to apoplexy. As this statement was not in accord with known facts, the public prosecutor, on his part, called on the prisoner to draw up a second report, which he did, and in it attributed the death of Trumy to poisoning by strychnine. The eminent physicians of Berne, Dr. Kupper and Edmard, were then empowered by the authorities to make a post-mortem examination of the body, and the contents of the intestines having been analysed, more than ten grains of strychnine were found. The investigation which followed lasted till the beginning of May, and led to the conclusion that the hypothesis of a suicide was scarcely admissible, but that there were grave reasons to suspect that the poison had been administered by Dr. Demme, who was alone in attendance on the deceased during the night of his death, and that immediately preceding. This suspicion was strengthened by the discovery of facts indicating the existence of an illicit connexion between the doctor and Madame Trumy, whose betrothal had in the interval been publicly celebrated in accordance with the custom of the country. The result of the inquiry having been communicated to the public prosecutor on the 9th of May last, he ordered the arrest of Dr. Demme and Madame Trumy, and they were committed for trial, after examinations which rather aggravated than mitigated the evidence against them. The indictment which was drawn up by the Procureur-General concludes with stating that Trumy lived unhappily with his wife, that he was a man of irregular habits and violent temper, and had caused his wife to lose one eye by throwing a lamp at her; it also admits that there are circumstances which favour the hypothesis of a suicide, among which are the pecuniary embarrassments of the deceased, who had well nigh ruined himself by a series of unfortunate speculations, and had even more than once threatened to kill himself. After the reading of the indictment, the court adjourned to the following day. The prisoner Demme is described as being about thirty years of age, tall, with a fair complexion, and of prepossessing appearance. The widow Trumy is rather short than otherwise; her features are delicate, and her countenance pleasing, without being pretty. She has lost the sight of one eye, owing, it is said, to an act of brutality on the part of her husband.—*Galignani's Messenger*.

A BRAVE ACT—The following is a copy of the report of the coxswain of the Caistor Lifeboat of the National Lifeboat Institution, detailing a very gallant act performed by that boat on the 26th instant:—“About 1.15 this morning a vessel was observed by the Coastguard apparently lying on the Barber Sands. They immediately mustered the Caistor company of beachmen, and on coming down to the beach they saw the vessel; but there being no signals flying from her, and it being very dark at the time, it was thought that the vessel was riding outside the sand. A watchful eye was, however, kept on her—the wind being E.S.E., which caused a heavy sea to break on all parts of the sand, and about 1.45 a.m. a flare was shown from the vessel. We then immediately launched our large yawl Elast, and proceeded towards the vessel, and on our nearing her, signal-lights were shown in quick succession. When we got within hail of her we could see that the vessel was lying in among the breakers on the Barber Sands, with the sea breaking a fair breach over her. When the crew of the ship saw the yawl, they shouted loudly for assistance; but there being so much sea breaking over the vessel we dare not approach her, but we shouted to the crew to keep their hearts up, and told them we would return to the shore and launch the lifeboat and come to their rescue, which we did; and about five o'clock we succeeded in taking the crew, six in number, out of the rigging into the lifeboat of the National Institution. Considerable damage was done to the lifeboat in so doing. We then hauled away from the vessel by the lifeboat cable, and proceeded to the shore with the utmost speed. On inquiring of the captain we ascertained that the vessel's name was the Richmond Focker, from Middlesborough for Dundalk, laden with iron. We reached our station about six o'clock a.m., the crew being drenched to the skin. We took them to our warehouse and gave them some refreshment, and afterwards conveyed them to the Sailors' Home at Yarmouth.—SAMUEL GEORGE, COXSWAIN.”

For Toothache, Tic-doloreux, Fascesche, Neuralgia, and all nervous affections, use Dr. Johnson's Toothache and Tic Pill. They assuage pain and give power to the whole nervous system without affecting the bowels. A box, by post, fourteen stamps, Kendall, chemist, Clapham-road.—[Advertisement.]

The Court.

Her Majesty the Queen, accompanied by their royal highnesses Princess Helena, Princess Beatrice, Prince Arthur, and Prince Leopold, and the infant Prince Albert Victor, arrived at Windsor Castle on Saturday morning, from Scotland. The suite in attendance consisted of Lady Augusta Stanley, the Hon. Emma Lascelles, Lord Alfred Paget, Lieutenant-General the Hon. C. Grey, and Colonel the Hon. O. B. Phipps.

Her royal highness Princess Louise, attended by Viscountess Josselyn, Colonel the Hon. D. de Ros, and Dr. Jenner, stopped at Carlisle to sleep, and arrived at Windsor Castle on Sunday evening.

His royal highness Prince Alfred, attended by Major Cowell and Lieutenant Halg, left Windsor for the Continent. The prince will proceed direct for the University of Bonn, where he will prosecute his studies, a house having been engaged there as a residence for his royal highness for some months.

THE PRACTICAL GARDENER.

GARDENING OPERATIONS FOR THE WEEK.

KITCHEN GARDEN.—Continues trenched up all spare ground, as advised last week. Protect the roots of artichokes from approaching frosts. Hoe up winter greens, cabbage, &c. If slugs are committing ravages, strew cabbage leaves between the rows, and examine them every day; the slugs may then be readily destroyed. Earth up celery to a good height when the soil is dry. Take up forward plants of endive, and replant them in a frame for winter use. Sow some peas on a dry warm border—Sanger's No. 1, or Daniel O'Rourke, are good early sorts. Some Mizagari beans may also be got in on similar warm and protected ground; also some short-top radishes. A few roots of rhubarb may be taken up and planted in boxes or pots if an early supply is needed.

FLOWER GARDEN.—Should frost have nipped your dahlias, let them be carefully taken up and removed to a dry shed, the tops cut down to within a foot of the roots, and turned top downwards for a week or ten days, for a portion of the sap to pass off without affecting the roots. Prepare compost for spring potting of carnations and picotees. Protect the roots of fuchsias with a coating of moss or ashes. Divide herbaceous plants where they are too large. Choice sorts of hollyhocks may be taken up and potted, and if kept in a cold frame, will furnish ample cuttings in spring. Give pinks and pansies in frames all the air possible. Keep plants, in frames and pits, free from dead leaves. Plant different varieties of roses in good stiff soil, trenched two or three feet deep, and well incorporated with rotten dung, and the soil pressed firmly round the neck of each stem.

FRUIT GARDEN.—Pruning and nailing should be continued, and the preparation of borders and other places for trees completed. After finishing the pruning of gooseberries and currant bushes, strew fresh slacked lime round the roots, and gently dig it in. This will protect them through the summer from caterpillars.

A TOO JOCKULAR BRIDEGROOM—A wedding ceremony at Penryn came to an unexpected close on Thursday under peculiar circumstances. A well-to-do young man, named Andrews, recently returned from Australia, had wooed and won a damsel respectfully expected, and having procured a marriage license, the pair, attended by more than a dozen friends in four or five carriages, arrived at about eleven o'clock on Thursday morning at the doors of St. Gluvia's Church, Penryn. The appearance of the party incited more than ordinary desire to do all honour to the occasion. The officiating clergyman, the Rev. C. D. Saunders, curate, conducted the service, which proceeded in due course until the question was asked of the bridegroom, “Wilt thou have this woman to be thy wedded wife?” To this, instead of the ordinary affirmative, he replied, “Well, I don't mind taking her for a month or so on trial.” This unseemly speech astounded the congregation and disgusted the clergyman, who instantly closed his book, went into the vestry, and disrobed. The parties followed him, begging him to proceed with the ceremony, but he reluctantly refused, and left the building, and conferred with the archdeacon of the diocese, the Rev. Chancellor Philpotts, who is residing at the Vicarage. A demand was made for the return of the fee paid for the license, but this was declined; and the party, evidently much enraged, returned to the church, and re-entered the carriages, giving orders to be driven as quickly as possible to Falmouth. Amid the ironical cheer of the assembled crowd, the parties drove off, and just before twelve o'clock dashed up to the office of the superintendent registrar at Falmouth, and applied to have the marriage ceremony gone through instantly. For this, however, there was not then time, and the doubly-disappointed party repaired to the Globe Hotel, where for the remainder of the day they endeavoured, as best they could, to keep up the appearance of good spirits.—*Western Morning News*.

ADDERS IN LAUDERDALE—These venomous reptiles, which are to be found in most of the moors in Lauderdale, have been unusually numerous during the past season, and shepherds and farm servants have frequently come upon them basking in the sun on some knolls near a dyke or a juniper or heather bush. As an instance of their plenty, it may be stated that on one farm no fewer than seven were killed in the course of the summer, some of which were of a large size, measuring fully three feet in length. Although they have been so common, we have not heard of any serious effects resulting from their bites.—*Scotsman*.

AN OLD MAN WHO HAS SHOT SIXTY PERSONS—At one point of the Tennessee river there is a place that has become a terror to steam-boat men, and in passing it they always find some place to secure themselves until the boat passes. At this point an old man, sixty odd years of age, has made his head-quarters for a long time, and the peculiar “crack of his gun” is familiar to river men, and sends a thrill of terror whenever it is heard. He has a long, heavy barrelled gun, originally a squirrel rifle, which has been bored out three different times, until now the largest thumb can be easily turned in the muzzle, and the aim of the old man is one of deadly certainty. The murderous sentinel is always faithfully upon his watch, and his retreat has so far baffled all attempts to catch him, from the fact that he is so surrounded with dense swamps and deep ravines. Well informed river men estimate that this old man has murdered in this way not less than sixty persons, and yet he performs his murderous work with as much earnestness and vigour as when he first commenced.—*New York Daily News*.

AN EXTRAORDINARY SOMNAMBULIST—The *Journal de Roubaix* relates a singular instance of somnambulism in that town. A young woman belonging to a family of the working class has during the last week risen in her sleep every night at the same hour, lit a fire, prepared coffee, set out the table as if for a meal, not forgetting either spoons, knives, or forks, and then has gone to bed again. An hour later she rises again, clears the table, puts the things in their places, cleans the lower rooms of the house, and then once more returns to bed. A remarkable fact is that as the young woman works in a factory she does not usually prepare the repasts of the family or do any of the house-work, and also that she lays out the table for three persons only, although she lives with her father, mother, three sisters, and two brothers.

EXCELSIOR! EXCELSIOR! FAMILY SEWING AND EMBROIDERING MACHINES For every home, are the simplest, cheapest, and best; using every variety of domestic and fancy work in a superior manner. Lists free. Wight and Maunn, 143, Holborn Bars, London. Manufactury, Ipswich.—[Advertisement.]

THE ROYAL SOVEREIGN AT SEA.

[From the *Mechanics' Magazine*.]

The attempt made by shelving the Royal Sovereign to prevent any real knowledge of her capabilities reaching the public ear, has, in one sense, been made a little too late. We are enabled to state confidently that the vessel has already been severely tested, and that the results obtained have been so entirely satisfactory that it is simply impossible for the Admiralty to refuse Captain Coles another ship. It is probable that no man living knows the capabilities of the Royal Sovereign better than her commander, Captain Sherard Osborne. With all her defects he must be equally familiar, and no good reason can be assigned for appealing from his decision. Captain Osborne's report is to the last degree favourable. Between the 28th of August and 17th of September he had the ship under weigh in the Channel on ten different occasions, testing her in every variety of weather, from perfect calm with heavy swell to a double-reefed top-sail breeze and a smart sea. On one occasion the ship was put into the broken water of Portland Roads just as a heavy sea had broken. On all occasions the ship behaved remarkably well, proving herself not only a buoyant sea-boat, but much faster than one would suppose was consistent with her coarse bows. Under the most trying circumstances the maximum roll of the ship has been but eleven degrees each way, doing this at the rate of about ten times in a minute. The great width of the deck, sixty-three feet, is a serious defect, but that is purely owing to the ship being a converted vessel, and Captain Osborne is perfectly well aware that this width is in no way necessary to the turret system. As it is, when riding at anchor in bad weather, the drift and wet blow along it in a very trying manner, but as the ship has no masts, the crew do not really suffer in consequence, and a sailing ship would of course be specially designed to prevent this exposure. So much for the qualities of the ship as such. As a man-of-war, we learn that the turrets and guns work admirably. In all 177 rounds have been fired under every condition, and the rolling of the ship affects neither the evolutions of the turret nor the guns. The only defects discovered by Captain Osborne appear to lie in the use of wooden instead of iron gun-carriages, and the absence of winches to run the guns in and out with instead of the old-fashioned tackle. Both these defects are in course of being remedied. Captain Osborne believes that the Royal Sovereign as she now stands is the most formidable vessel of war which he has ever been on board of. She would destroy easily, if her guns were rifled, any of our present iron-clads, whether of the *Hector*, *Warrior*, or—Mr. Reed should dwell on this—the *Research* class. *Crimm* as she has been called, her real hardness, speed, and weight of broadside, and the small target she offers, increases ten-fold her powers of attack and defence. While he has such facts as these in his favour, Captain Coles can laugh to scorn the various attacks made on him by the opponents of his system. Apparently there is no limit to the weight of the guns which can be worked on the turret system. It must not be forgotten, too, that the Royal Sovereign requires but 300 hands, instead of 1,000. Even now, in this time of our peace we find that men are scarce, and hard to get; what would it be in time of war? Let us add that during the time the Royal Sovereign has been at sea a single gun-breeching had not been carried away, nor so much as a finger hurt in working her enormous guns. The only damage done has been to a few weak fittings on the deck. For that done to the hawse pipe, Captain Osborne takes all the blame to himself. If ever man has achieved a success, Captain Coles has apparently done so, and we trust that in his next venture every precaution may be taken to turn out a ship capable, not only of fighting our battles at home, but of taking the deep sea in all weathers, and of proceeding to the ends of the earth in the cause of the nation.

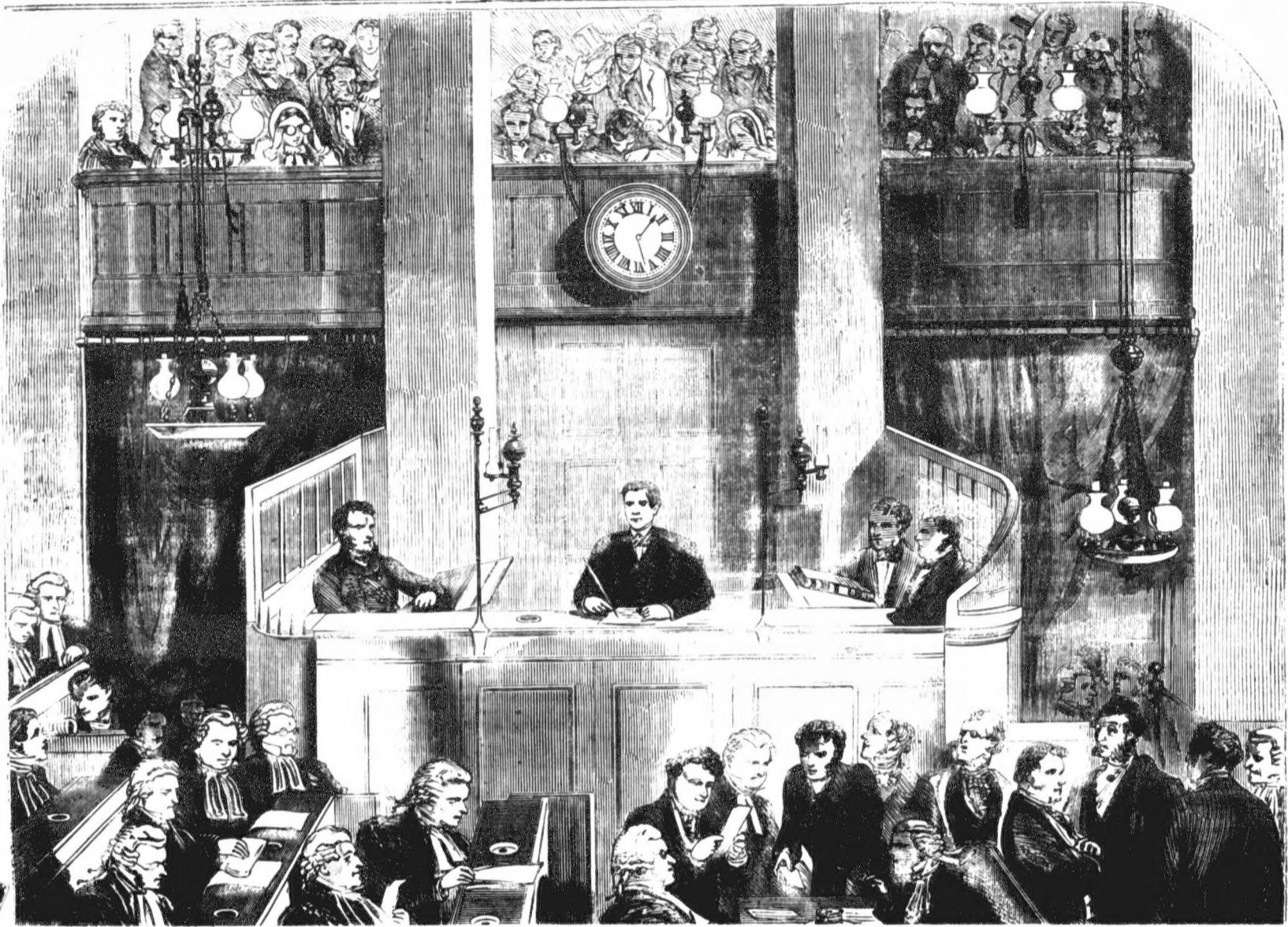
DARING ROBBERY OF JEWELS—The *Journal de Nîmes* states that an audacious robbery was committed at that place three nights back, on the premises of M. Leriche, a jeweller. About midnight, during a violent storm of wind and rain, when the streets were entirely deserted, some housebreakers, supposed to be three or four in number, forced the shutters of M. Leriche's shop, cut through the glass with a diamond, and stole from the window a number of gold watches and other articles of jewellery, worth about 20,000L (£800.) Before commencing their enterprise the burglars extinguished the nearest gas lights. M. Leriche's maid servant, who slept in a room near the shop, heard the noise of falling glass, and alarmed her master; but before he could get down stairs the fellows had got off with their booty, leaving behind them two new umbrellas and several iron chisels.

SCENE IN A THEATRE—An extraordinary scene of disorder has just occurred at the theatre of Lille. In French provincial towns actors and actresses are, as is generally known, on making their first appearances, subjected to a sort of popular vote of approval from the audience. Madame Borghese, an operatic singer, had been recently engaged there, without, however, having passed through the usual ordeal. As the majority of the public were unfavourable to her, marks of disapprobation had several times been expressed, and the usual formality of an appeal to the public was demanded, but the director paid no attention to the opposition, and the engagement still continued. The lady had, of course, her partisans, and during her performance of the *Trovatore* the evening before last a few bravos were heard. A cry of “Down with the clique!” then followed, as well as a storm of hisses. The lady's supporters attempted to resist, but in vain, and the curtain had to be lowered. An effort was made to resume the performance some minutes later, but the riot became louder than ever, and M. Campocasso, the manager, who is a supporter of the actress, distinguishing one of the subscribers among the persons hissing, rushed on him and struck him several blows with his closed hand. The spectators took part against the aggressor, and a fight was becoming general, when the police interceded and restored order. A great agitation prevailed during the remainder of the evening in all the places of public resort in the town, and the affair will no doubt terminate before the *Tribunal of Corrections* Police.

TERRIBLE CATASTROPHE—A terrible catastrophe has just occurred at Sierck, on the Moselle. The chief vine-grower of a large grower of that town, having a vintage to gather on the opposite side of the river, had embarked with seventeen men and women and two vats in a boat to cross the water. The wind was violent at the time, and the Moselle so rough, that two other young women who should have accompanied the labourers refused to go. A boatman also warned the overseer that they would never reach the other side in safety. The men, however, persisted in attempting to cross, but when in the middle of the stream the boat began to rock, and the waves washed over the sides. One of the men at length became alarmed, and jumped into the water, intending to gain the shore by swimming. The impulsion given to the boat caused it to rock still more violently, and the equilibrium being disturbed, the vessel upset, and precipitated the whole party into the water. Two men swam ashore, and four persons were picked up by a passing barge, but the remaining twelve, after struggling for a short time, sank to the bottom. The bodies have since been recovered. None of the women, and only one of the men, were married.—*Galignani*.

A CAPITAL VELLUM CASE for 2s. (or free by post for twenty-eight stamps) fitted with Writing paper, envelopes, Encase and Pens, Bioblitz book, &c. **THE PRIZE OF TWENTY GUINEAS AND SILVER MEDAL** was given by the SOCIETY OF ARTS for its utility, durability, and cheapness £50,000 have already been sold. To be had of PARKINS and GOTTO, 26 Fleet-street, London, and all Stationers.—[Advertisement.]

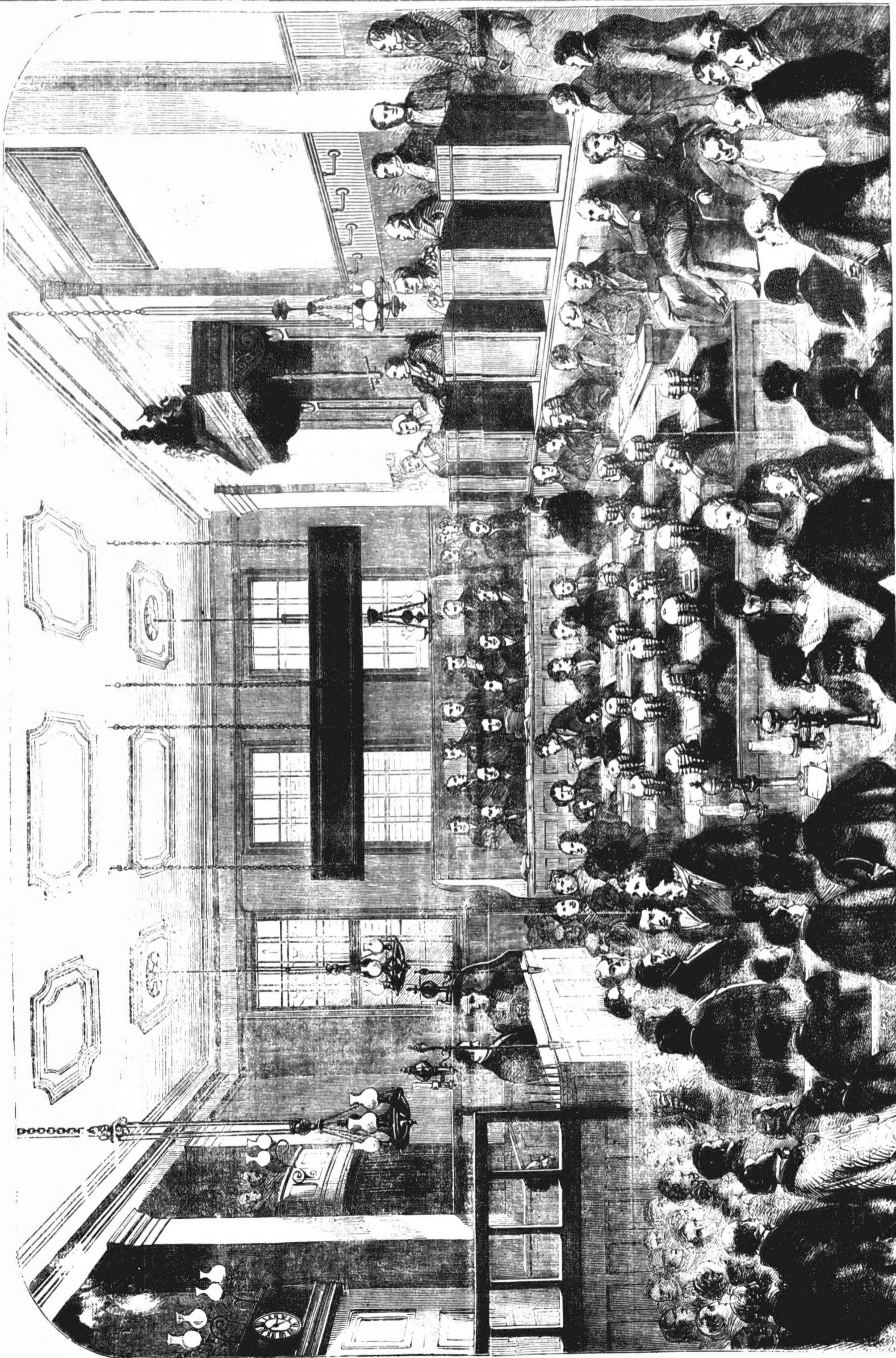
TATE'S ENCOLOURED TEA are now supplied by Messrs. Baker and Baker, Tea Merchants, London, through their agents in town and country. These teas combine fine flavour with lasting strength, and are more wholesome than the tea in ordinary use hence their great demand.—[Advertisement.]



THE TRIAL OF MULLER—THE PRISONER IN THE DOCK (See page 323.)



THE JURORS' SLEEPING APARTMENT AT THE LONDON COFFEE HOUSE. (See page 323.)



INTERIOR OF THE OLD BAILEY BUILDING TRIAL OF FLANZ MULLER FOR TELLING MR. BIGGS. (See page 323.)

Theatricals, Music, etc.

HER MAJESTY'S.—Mdlle. Titien's appeared on Saturday evening last in "Fidelio," and attracted a crowded and fashionable audience. It will be sufficient to say that Mdlle. Titien's "Fidelio" has lost none of its power and beauty; that it still exercises a magic influence over all eyes and hearts. Mr. Santley has appeared as Pizarro for the first time with eminent success. A more impressive example of declamatory singing than that in the "Vendetta" song by Mr. Santley it would be almost impossible to adduce. "Faust" was given for the third time on Monday night. "Fidelio," "Il Travatore," and "Norma," with Mdlle. Titien as the Druid Priestess, have also been given during the week. On Monday next this establishment opens for a season of English operatic and other performances, under the direction of Mr. W. Harrison. The prospectus just issued gives the following list of artists already engaged:—Misses Louisa Pyne, Anna Hiles, Romer, Lister, Susan Galton; Madames Burrington, Kenneth; Messrs. Sims Reeves, Santley, Swift, Penn, Forbes, Renwick, Garcia, George Honey, J. Rose, H. Corri, W. Harrison, and Signor Marchesi. Of Miss Louisa Pyne, Mr. Sims Reeves, Mr. Santley, and Mr. Harrison, we need not speak a word: their merits speak trumpet-tongued for themselves. Madame Kenneth, the daughter of the well-known theatrical agent, for many years in London, has been for some time in Italy. She appears on the opening night as Violetta, in the "Traviata." The band and chorus are almost the same as those of the Italian season, and Signor Arditto is appointed conductor—an appointment which cannot fail to lend additional eclat to the performances.

COVENT GARDEN.—The English Opera Company again put forward "Masaniello" on Monday, which we have previously noticed. On Thursday, Macfarren's opera of "Hellellyn," Madame Lemmens Sherrington sustaining the part of Hannah; Madame Parepa, Mabel; and Mr. Henry Haigh, Martin. We shall further notice it in our next.

DRURY LANE.—"Cymbeline" has been performed for the last time this week, much to the regret of many who had not had an opportunity of seeing Miss Helen Faust in one of her greatest characters. "Othello" has given Mr. Phelps a rest, Mr. Creswick having sustained the part of the Moor, and Mr. Henry Marston Iago. On Thursday "Macbeth" was produced in a manner perhaps never before equalled in completeness of stage effect. Our space will not permit us to enter into the particulars this week. We must leave it till our next to enter fully on its merits. Mr. Phelps enacted Macbeth; Mr. Creswick, Macduff; and Miss Helen Faust, Lady Macbeth.

HAYMARKET.—In order, perhaps, to test more fully the dramatic powers of Mdlle. Beatrice, "The Stranger" has been produced here, and it is doubtful, indeed, if any character was ever better suited to an actress. The pervading sadness, the patient resignation, and the keeping down of the intense mental suffering, are exhibited with painful reality, and testify to the artist's genuine power. Few in the house but found themselves dissolved in tears. The French actress, indeed, achieved a triumphant success, and created a furor. Mdlle. Beatrice is well supported by Mr. Howe, Mr. Chippendale, and Mr. Compton. Miss Kelly Moore is dignified, impressive, and affecting as the Countess, and Mrs. E. F. Cuthill full of life and animation as Charlotte. A new five act drama is being prepared for Mdlle. Beatrice. It is adapted from Mosenthal's play of "Der Sonnenwendhut," upon which Mr. Macarren's new opera, "Hellellyn," is also built. Mr. J. V. Bridgeman is the translator and adaptor.

PRINCESS'S.—Here there is no change. "The Streets of London" has lost not a wit of its characteristic and exciting nature, and the principal scenes are as loudly applauded as ever. The farce of "Born to Good Luck" supplements the above piece.

ADELPHI.—The entertainments here are unusually attractive. "A Wolf in Sheep's Clothing," "The Hen and Chickens," "His Last Legs," and "Doing Banter," form a programme which no one can sit out without being highly entertained.

S. F. JAMES'S.—A new "comedy-drama" has been brought out here under the title of "Sibyls; or, Step by Step," but its general reception was not very enthusiastic, although Miss. Charles Mathews, as the heroine, deserved the highest praise. Mr. Charles Mathews, Mr. Frank Matthews, Mr. Robinson, and, indeed, the whole of the dramatic personae, acquitted themselves most creditably.

OLYMPIC.—This favourite establishment re-opened on Wednesday last, under the auspices of Mr. Horace Wiggin, with a comedietta, by John Oxenford, Esq., entitled "The Girl I left behind me." This was followed by a new drama called "The Hidden Hand," and a new farce, by J. M. Morton, entitled "My Wife's Bonnet." The house has been beautifully decorated and many improvements carried out during the recess. We need scarcely add that the theatre was crowded, and that the performances gave the greatest satisfaction and delight.

SADLER'S WELLS.—A very excellent drama, entitled "Love and Loyalty," has been produced here with marked success. It is well written; and the acting of Miss. Marriott as Juliet is most intense and forcible throughout. Mr. George Melville is also seen to greater advantage in this piece than in several others in which he has appeared. "The Witch-Finder," has been repeated, and also "The Lady of Lyons," together with "The Corsican Brothers," which has been placed upon the stage with the same care that characterizes the general stage management of this theatre. Nearly every evening there has been a change in the performance, and in addition to the above "The Gambler" and "Don Cesar de Bazan" may be specially mentioned. "The Duchess of Malfi" will be revived.

SUMREY.—"The Orange Girl" is still the leading feature at this theatre. The acting of Messrs. Anderson, Shepherd, Villalba, Miss. Pannier, Miss Jenny Wilmot, and others is in excellent keeping with the admirable scenery displayed in mounting the piece. Messrs. Leslie and Rowe, the authors, must be complimented upon the success of their spirited drama.

CRYSTAL PALACE.—Monday was the last grand fete of the season. The extreme cold, however, tended in some degree to lessen the enjoyment of the pleasure-seekers. It was a piercing wind from the north and north-east, which had the effect of nipping the beauty of the hardy geraniums and other flowers and plants round the rosary and throughout the grounds generally. The programme of entertainments commenced at twelve o'clock with the performances of the full military band of the Danish Guards on the Handel orchestra. Then followed a particularly varied round of amusement, which was kept up with great spirit, much to the gratification of the large audience. The transept was illuminated, and some extra ornamentation of this character had a beautiful effect over the Handel organ. Vast crowds of persons remained in the building till they were politely "warned off." We must not omit to state that the living young chimpanzee attracted the curiosity and attention of crowds of visitors.

MR. HOWARD GLOVER'S CONCERTS.—The third "grand festival" took place on Saturday afternoon, at Drury Lane Theatre, and, as on the two previous occasions, attracted a very crowded audience. The solo instrumentalists were Mr. Charles Hale, Miss Fanny Sebri, Mr. Levy, Mr. Henry Blagrove, Mdlle. Mario de Beauvois, Mr. Frederick Chatterton, Richard Blagrove, and several others. The London Choral Union, under the direction of Mr. Verringer, again assisted. The singers were, as before, very numerous. The conductors were Messrs. Benedict, Lindsey Sloper, Frank Mori, and Howard Glover, Herr W. Ganz and Herr Leymeyer.

Sporting.

AQUATICS.

SCULLERS' RACE FOR £100.—A scullers' race in old-fashioned boats came off on Monday, below bridge, between Joseph Heath, of Greenwich, and George Cannon, of Blackwall, both watermen, the stake being £50 aside, and the distance rowed from the Half-way House, below Barking-point, to Blackwall-stairs, a distance of seven miles, with the tide. Heath, who is four years his opponent's senior, has only rowed one private match previous to this—viz., against Thomas Grout, of Woolwich, whom he defeated; but he has also won the Greenwich coat and badge and Greenwich boat, and rowed exceedingly well at the Thames Regatta; while Cannon had previously beaten Samuel Short, of Edmonton, and won the boat at Blackwall Regatta, so that both were pretty nearly equal, and so their backers thought, as neither side would lay any odds, and very little was done at evens. The leads alternated till they had gone a quarter of a mile, when Heath settled down into the front rank, and a splendid race commenced, which did not terminate till they had proceeded two miles further. In the course of this Heath generally led by a length and a half, but occasionally Cannon half overlapped him, and the excitement was very great as they neared Barking creek. Here they began to make for the Essex shore, and it was observed that Heath had begun to bore his man very much, a foul being momentarily expected; Cannon, however, gave way, and continued to do so till they were uncomfortably close to the bank, when, although no foul actually occurred, Cannon received the benefit of Heath's wash, and being driven into the ripple from the shore, fell astern, while Heath went clean away, passing North Woolwich-pier leading by fifty yards. After this Cannon rowed a very plucky stern wager, but his right arm was evidently queer, and Heath eventually won by 100 yards. Time, thirty-eight and a half minutes.

HIGHWAY ROBBER AND ATTEMPTED MURDER.—A highway robbery, accompanied with great violence, has been committed upon Mr. Barker, of Brixtonbury farm. Mr. Barker had been attending the corn market at Hertford on Saturday, and shortly after six o'clock was returning home along a private road, known as Mor-gau's-walk, about half a mile from town, when a stranger suddenly walked out of the gloom straight up to him and commenced talking. After making a few observations the stranger fell a hole behind, and Mr. Barker, not liking this, walked rapidly on. But the stranger also quickened his pace, and on getting within arm's-length of Mr. Barker struck him a heavy blow on the back of the head, which felled him. Mr. Barker recovered his feet, but was instantly knocked down again. He again tried to rise, and succeeded in getting on his knees, when his assailant again struck him down and continued to beat him about the head until he became senseless. What happened afterwards Mr. Barker is unable to tell. After lying for a short time he sufficiently recovered his senses to crawl home, a distance of about half a mile. He was in so disfigured a state that his wife could scarcely recognise him. There were ten severe wounds on his head, and a severe contused wound on the face, which was so swollen that the eyes could be scarcely seen. Information was immediately given to the police, and Mr. Odell, surgeon, of Hertford, sent for. His assailant, it appears, rifled his pockets, and took from them £7 12s., all the money he had about him, a purse, and some other articles. The police are actively investigating the case.

RADIO OCCURRENCE AT WEYMOUTH.—At a very early hour on Monday morning the inmates of the residence of Captain Dow, of Elwell Rodwell, Weymouth, were startled by the cry of "Murder" proceeding from the upper part of the house. Upon going to one of the servants' rooms in the rear, one of the domestics was found to be in a state of great excitement, intimating that a man who had just escaped by the window had paused upon her while asleep and nearly strangled her. Upon search being made a ladder, which had been removed from a house undergoing repairs not far distant, was found against the wall, and no doubt by this ladder the man gained access to the room. Marks of violence were found on the neck of the girl, and she was in a very perturbed state throughout the remainder of the night. About seven o'clock on Monday morning a marine artillerist man, named Henry Stokes, belonging to her Majesty's ship Black Prince, was found lying dead, frightfully disfigured, in a deep stone cutting of the Portland Railway, which runs at the rear of the house. The deceased is supposed to have been the midnight disturber, and whether he had mistaken the house for another, or whether he intended to commit a robbery, is not very clear, but certain it is that his boots correspond with the marks leading from the back of the house to the cutting at the bottom of which the body was found. Being alarmed, he either forgot or was not aware of the proximity of the cutting. An inquest was held on Monday afternoon, and a verdict of "Found dead" was returned.

EXTRAORDINARY DISAPPEARANCE OF A LITTLE GIRL.—A most mysterious disappearance of a little girl, six years of age, has just taken place at Fleetwood. The other evening a married woman named Nancy Bracey, who for some time had been living in Blackburn, left that place with three of her children—one in the arms, a little boy four years of age, and a girl aged six—for the purpose of proceeding to Lurgan, in Ireland, where her husband is now working. She passed through Preston, where she lost a portion of her luggage, and went on to Fleetwood, where she purposed taking one of the Irish steamers. On arriving at Fleetwood, about seven o'clock in the evening, she proceeded to the pier, and whilst standing there, a man named Boardman, observing that it would be difficult for her to get on board by herself with the children, offered his assistance. He carried her little boy, and left the girl at the side of the pier until he returned. Mrs. Bracey walked before him along the gangway, and after he had put the child he was carrying on board he returned for the little girl; but when he got to the pier side where he left the child, he could see nothing of her. The pier was searched, as was also the steamer, but no trace of the missing child could be found. An impression then prevailed that he must have followed Boardman along the gangway, and in attempting to cross it fallen into the water between the pier and the steamer, and then been washed out by the flowing tide. The commander of the steamer (Captain Humphreys) caused every possible search to be made during the evening, but no tidings of the child could be obtained. The disconsolate mother afterwards went on shore, having in the meantime received the assurance from Captain Humphreys that should anything transpire during the voyage which the boat had to make that evening to Belfast, he would telegraph to her next day. Some persons think that the girl has been stolen; but the general impression is that she has been drowned and carried out by the tide to sea.

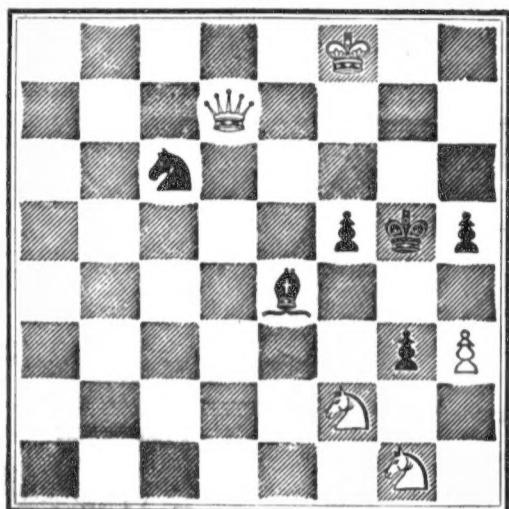
BONHOMIE'S TEA.—It is choice and strong, moderate in price, and wholesome to all. These advantages have secured for this tea a general preference. It is sold in packets by 2,200 Agents.—[Advertisement.]

NATURE HAS PROVIDED A REMEDY FOR EVERY DISEASE.—**FITS AND INDIGESTION.**—A safe cure for these distressing complaints is now made known in a Treatise on Foreign and Native Herbs & preparations, published by Dr. O. Phelps Brown. The prescription was furnished him in such a provincial manner that he cannot conscientiously refuse to make it known, as it has cured everybody who has used it, never having failed in a single case. It is equally sure in cases of Fits, as of Dyspepsia, and the ingredients may be obtained of any herbist. Sent to all on receipt of four stamps to pay postage, &c. This work of 48 octavo pages, beautifully illustrated, also treatise on Consumption, Bronchitis, Asthma, Liver Complaints, General Debility, and gives the best known Herbal Remedies for their positive and permanent cure. Address, Dr. O. Phelps Brown, 4, King-street, Covent Garden, London.—[Advertisement.]

Chess.

PROBLEM NO. 216.—By C. W., of Sunbury.

Black.

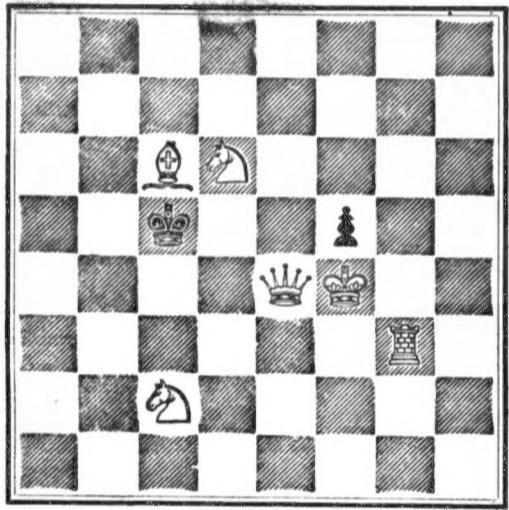


White.

White to move, and mate in three moves.

PROBLEM NO. 217.—By Mr. L.

Black.



White.

White to move, and mate in two moves.

Game played between Messrs. Taylor and Rainger, of the Norwich club.

[EVANS' GAMEBIT.]

White.

Black.

| | |
|------------------------|-------------------------|
| Mr. L. O. H. Taylor. | Mr. Bainger. |
| 1. P to K 4 | 1. P to K 4 |
| 2. Kt to B 3 | 2. Q to B 3 |
| 3. B to Q 4 | 3. B to Q 4 |
| 4. P to Q Kt 4 | 4. B takes P |
| 5. P to Q B 3 | 5. B to Q B 4 |
| 6. Castles (a) | 6. P to Q 3 |
| 7. P to Q 4 | 7. P takes P |
| 8. P takes P | 8. B to Q Kt 3 |
| 9. B to Q Kt 2 (b) | 9. Q B to K 5 |
| 10. P to Q 5 | 10. Q Kt to K 4 |
| 11. Q to Q R 4 (ch) | 11. Q B to Q 2 |
| 12. Q to Q Kt 3 | 12. Kt takes Kt (ch) |
| 13. Q takes Kt | 13. Kt to B 3 |
| 14. P to K 5 | 14. P takes P |
| 15. B takes P | 15. Q B to K Kt 5 |
| 16. Q to K Kt 3 | 16. P to K R 4 |
| 17. B takes Kt | 17. Q takes B |
| 18. R to K square (ch) | 18. K to B square |
| 19. Q ht to Q 2 | 19. P to K R 5 (c) |
| 20. Q takes B | 20. Q takes K B P (ch) |
| 21. K to B square | 21. Q takes Kt |
| 22. K R to K 2 | 22. Q to Q B 6 |
| 23. Q R to K square | 23. K B to K R 3 |
| 24. Q to Q 7 | 24. K to T square |
| 25. Q to K 5 (d) | 25. Q R to B square |
| 26. K R to K 8 | 26. B to Q B 4 (e) |
| 27. P to Q 6 (f) | 27. K R to K 3 |
| 28. B takes R (ch) | 28. K takes R |
| 29. K takes R | 29. Q to Q B 8 (ch) (g) |
| 30. Q to K B square | 30. Q takes Q (ch) |
| 31. B takes Q | 31. P takes K (h) |
| 32. P takes P | |

Black resigns.

[Notes by Mr. Rainger.]

(a) P to Q 4 is now more generally adopted.

(b) This is, perhaps, White's strongest reply.

(c) This move gains a Pawn, but unfortunately it gives White an opportunity of bringing his pieces more fully into play.

(d) White keeps up the attack with great spirit.

(e) We believe that if Black had at this point played P to K Kt 8, he would have escaped from the attack, and eventually have won the game, having an advantage of two Pawns.

(f) An exceedingly clever move. Black's game is now hopeless.

(g) If Q takes B, White R to K 8 (ch), and mates with Q to Q B 8 next move.

(h) Black here could have played P takes P, prolonging a useless struggle.

COURT CIRCULAR OF THE JUNGLE.—A large tiger walked across Strangon-road about three and a half miles from Singapore at 4 p.m. yesterday (September 18). The tiger was seen to come out of the jungle at Mr. Kim Ching's hill, and go over to Mr. Bernard's; the prints of the paws of the animal are said to measure about a span in breadth.—*Straits Times*.

Law and Police.

POLICE COURTS.

WESTMINSTER.

PLACING RAILWAY PASSENGERS IN IMMENSE DANGER.—Charles Murray, a young man, about 17 years of age, was brought before the magistrate, charged with placing the lives of railway passengers at the Victoria Station in imminent danger, by throwing, with many others not in custody, stones at the railway carriages. Corneille Foey, Inspector of the London, Brighton, and South Coast Railway, said: I was on duty on Wednesday last, between twelve and one, at the Victoria Station, when a gentleman who had arrived by the train complained that stones had been thrown at the carriage in which he had just travelled. I immediately went down the line, and after proceeding a short distance saw the prisoner and others throwing stones at a train coming into Victoria Station from London-bridge. Mr. Selfe: Where were the stones thrown from? Witness: From a field alongside the line. Mr. Selfe: Was it a passenger train? Witness: It was, and there were many persons in it. Mr. Selfe: Had you a good opportunity of seeing the prisoner? Witness: I had. I watched him and the others for above an hour, and stones were repeatedly thrown at railway carriages. The station-master and myself afterwards watched them for an hour. We could not get near enough to the accused and the others for some time to endeavour to capture them, and when we were approaching they ran away. Mr. Selfe: How many were there? Witness: Fifteen or fourteen others, but less than him. John Parish, 146 B, officer on duty at the Victoria Station, proved apprehending the defendant on Sunday, on a warrant, in Evingham-street, Finsbury. Inspector Foey said there had been much trouble in apprehending him. He had been away to Kentish-town, and was traced to Evingham-street. Defendant's mother declared that she was sure he was perfectly innocent, and there was a man present who could prove it. The man was called, but his evidence went for nothing. Mr. Selfe: How often did defendant throw? Inspector Foey: I counted four times. Defendant was remanded. It was arranged that bail should be taken for his appearance.

CLERKENWELL.

MURDERING THE MATRON OF A WORKHOUSE IN THE STREET.—Ann Elizabeth Ellis, aged 17, and Ann Duggan, aged 16, were charged with throwing stones at Mrs. Morrison, the matron of the St. Pancras Workhouse, and making use of bad and disgusting language in the St. Pancras-road. The complainant stated that on Saturday evening she was leaving the workhouse with her servant, when she saw the defendant Ellis picking up stones, and heard her say she would break the windows. As soon as the defendant saw her she threatened her, and the other defendant did the same. She (the complainant) went on, and did not take notice of them, although they called her very bad names. When at the corner of College-street the defendant called her most filthy and abominable names, and she had several stones thrown at her. Had it not been for the kindness of a tradesman, who took her into his house, she did not know what would have been the consequence. She was surrounded by a number of the complices of the defendant. Two witnesses confirmed the matron's statement, and added that the language the defendant used was abominable in the extreme. The defendants denied that they had thrown stones, although they admitted that they had called the matron bad names. Mr. Mansfield: Have the defendants been in the workhouse before? Mrs. Morrison said that this was a very bad character, and had been discharged from her situation for assault and felony. A few months since she was sent from this town for two calendar months for violently assaulting an inmate and pulling out her hair. Mr. Mansfield said it was a melancholy thing to see young girls like the defendants throwing away every chance they had of redeeming themselves. Such outrages as had been proved could not be allowed, and he should, therefore, order the defendants to pay a fine of 40s. each; or, in default, to be imprisoned in the House of Correction for one month. The defendants said they had met a driving to buy bread with, or they should not have been outside the workhouse gates at the time in question. They were locked up in default.

AN URGENT APPEAL TO HARD LABOUR.—Charles Benjamin Lut, a lad about 17 years of age, residing at 19, Upper Boscawen-street, Clerkenwell, was summoned by his master, Mr. Richard Jeanneret, an iron-founder, of Clerkenwell, for unlawfully absenting himself from his service, without his authority, or other lawful excuse so to do. The complainant stated that the defendant was very badly advised, and seemed determined not to do anything as was told. On the 1st and some previous days he stopped away from his work without giving any notice, and when he returned and was asked why he did so, he said he had none so to please himself. He had not to bring the defendant here on a previous occasion for disobedience to his commands, and then he was not punished, because he promised to conduct himself better for the future. He wished now that the defendant might receive some slight punishment, as a warning to others. Mr. Mansfield asked the defendant what he had got to say in answer to the charge? The defendant, in a most dogged manner, replied that he had nothing to say, except perhaps that it was all right. Mr. Mansfield sentenced the defendant to be imprisoned and kept to hard labour in the House of Correction for twenty-one days. The defendant on being remanded said he did not care for that little lot.

AN ASSAULT BY A BANKER'S CLERK.—Alexander Landley, a banker's clerk, residing at 48, Englefield-road, Kingsland, was summoned for assaulting Mr. Thomas Robertson, a master-buttocher, residing at C. Croxton-street, Hackney. Mr. Willis, barrister, attended for the defence. The complainant stated that he was driving along the Kingsland-road, when the defendant got off an omnibus that was in front of his house. He called to the defendant to get out of the way, but he took no heed, and then wheel of his cart passed very closely to him. The defendant put out his hand as he thought to strike him, on which he (the complainant) touched him on the hat, and his hand fell off. The defendant on this struck him with a stick and cut his lip through. The boy quite disengaged him, and he was unable to go out on the following day. Ordinarily evidence having been given, Mr. Willis contended that as no malice had been proved the case must be dismissed. Mr. Mansfield, without hearing the witnesses for the defence, dismissed the complaint, and gave a certificate of dismissal, which certifies that he had fully investigated the matter, so that no other proceedings can be taken.

MARLBOROUGH STREET.

ASSAULT ON A WIFE.—George Williams, an elderly man of respectable appearance, described as a jeweller, was charged before Mr. Tywhitt with assaulting his wife, Elizabeth Williams, at No. 41, King-street. The complainant said: I have been married to the defendant since 1828. Last night, about twelve o'clock, I was in bed, when my husband caught me, a box and struck me on the head a severe blow, cutting it, and causing it to bleed, the only cause for it being that a little boy I have the care of knocked down a board on which there were some of his tools, the child having done so while playing. I should be very sorry to hurt my husband, as he is an aged man, but I had given him no provocation, and he would not give me time to make an explanation. He also pulled my arm. Mr. Tywhitt: Was your husband sober? The wife: I don't think he was quite sober. The defendant: I am very sorry. I was provoked a great deal. My jeweller's board was knocked over, and all my tools scattered about. I took up the lid of a box belonging to my wife to sweep it, and she rose up and received a box on the head, but it was an accident. Mr. Tywhitt: Has he ever spanked you before? The wife: He has; but I don't want to hurt him. Mr. Tywhitt: The best thing I can do is to make the defendant find bail. It will be the best thing for both of you. The defendant was then ordered to find bail to keep the peace towards his wife for three months.

DETAINED STRANGER ROMANTIC.—Thomas McCarthy, a rough-looking lad, was charged with stealing a sum of money from a boy named George Turner, the employ of Mr. Henry Miller, under of Harvey's-court, Strand. It appears that the boy Turner was waiting at the corner of Tottenham-court-road on Sunday morning, about eleven o'clock, for an omnibus to Camden town, when the prisoner ran up to him and snatched a purse, containing a sum of money, which Turner was about to take to a chemist, and made off with it. The prisoner was followed by two constables, and caught, having thrown the purse away while running. A constable said the prisoner was sentenced to twelve months' hard labour at the Middlesex Sessions for picking pockets in 1861. The prisoner was committed for trial.

MARYLEBONE.

THE MARQUIS AND THE MACHINIST.—Ludovic Stefano, organ-player, of Bedford-street, and a native of Rome, was charged by the Marquis of Westmeath with refusing to admit playing his organ and go away when desired to do so. The marquis took a seat on the bench. Mr. Yardley inquired of the prisoner if he understood the English language; and the prisoner said he only understood Italian. Mr. Yardley: Then we must have an interpreter. This is an English court of justice, and it is necessary that the evidence should be conveyed intelligibly to us. It is only fair. Well, we will just hear the evidence in the case. Jean Cook, police-sergeant S.S.: At about half-past twelve to day, I was passing along Cavendish-place, when my attention was called by the marquis, who said, he was annoyed by the playing of an organ in the street. I asked him where he lived, and he said at No. 39. When I got there the prisoner was playing three or four doors away from No. 39. I went with the marquis, and he gave him into my custody. When I took him he said he would go away. He said this two or three times. The marquis said, "You have had a

chance before and would not go; I shall lock you up now." The prisoner said to the marquis, "If you let me go, I will go away at once." The Marquis of Westmeath was then sworn, and gave his evidence from the bench. He said: I reside at 39, Devonshire-place. Mr. Yardley: Have you any enemies in your house? The marquis: No, oh, no; but I was employed about my lawful business, and more than once this man has been paying one or two doors off. On a former day—Mr. Yardley: Never mind about any former day. The prisoner is only charged with an offence alleged to have been committed to-day. The marquis: Well, then, I say he was playing near my house, and I went through the hall and out at the front door. I told him to go away, and made signs to him. He made a noise at me, and wheeled up two more further on. He went on playing, and for a considerable time. I went determined to look for a policeman. I found one and gave him into custody. Cook was recalled, and in reply to Mr. Yardley said the prisoner was several houses away from that of the marquis; he wished to go away, and said he would if I would allow him. Mr. Yardley: I hardly think that under the Act he has committed the offence alleged against him. He did move away when you told him. He had no reason assigned for his being requested to leave. From the evidence of the officer the prisoner wanted to go away altogether. Even when you spoke to him he moved two houses away, and after this he volunteered to go. I think that under the circumstances there is not sufficient evidence to support the case. The prisoner must be discharged. The marquis: This is a most extraordinary construction upon the evidence. Mr. Yardley (turning sharply round to the marquis): I am responsible for the action I have given. The marquis: Will you allow me—Mr. Yardley: Nj, I am not going to argue with you. You have given my deposition, and I suppose responsible, as I have just said. The marquis: May I say—Mr. Yardley: The case is at an end. Let me tell you I am here to administer justice, and I make no distinctions between lords and commoners. The marquis: Will you see me off? Mr. Yardley: No, I will not. The marquis: I should wish to say a word. Mr. Yardley: I can't hear you. I have told you that for whatever I am responsible. The marquis: I shall speak—Mr. Yardley: I will not hear you. Let me tell you that I am acquainted with a man of your rank and position should have over me such an observation. You ought to have known better. The marquis was about to make another observation, when Mr. Yardley: I have told you that I am not going to argue with you. There is an end of the case. Mr. Franklin (the chief usher): Beg this way, your lordship; the case is over. His lordship then retired.

WORSHIP STREET.

A STRANGE MISTAKE.—W. Curtis, a cabinet-maker, in the City-road, was summonsed for unlawfully detaining a valuable terrier dog, the property of Mr. Fordehead, of 58, City-road, stationer. The complainant said he lost his dog in July last, and had found it in the possession of the defendant, who refused to give it up, claiming that he had purchased it from the breeder. The complainant's son and his former master swore to the dog in question having been stolen from him, and spoke to several well-known men. The dog was brought into court, and a searching investigation was entered into to discover the particular marks of identity, but there appeared to be some serious difficulty in this branch of the case. Mr. Fordehead at length disclosed a singular fact, which had been quite overlooked. "I beg pardon," said he, "I am very sorry, but I have made a mistake. That cannot be my dog, for in fact my dog was really a dog, whereas this is a pony dog." A roar of laughter followed the announcement, and the summons was dismissed, the costs and expenses being paid by the complainant.

THAMES.

A NOisy CAB FARE.—SINGULAR CASE.—Mrs. Caroline Clitheroe, who described herself as a "respectable married woman," was brought before Mr. Partridge charged with being drunk and disorderly, and refusing to pay a cab fare. George Brown, a cab driver, badge No. 631, stated that a ride before six the previous night he was hired by the prisoner opposite the George, in the Commercial-ace, and ordered to drive her to No. 6, University, Mile-end-road. Soon after she got in, the cab, and while he was driving through Stepney, she began swearing, swearing, and hallooing. He should not have cared much about that if she had not added to it that he was a vagabond, a thief, and a villain. He begged of her to be quiet, but she would not, and a mob collected. He stopped the cab, and she gave assistance to another victim of abuse. He then called a police-constable, and gave her into custody. John Mackay, 414 K, said he took the prisoner into custody. She called him a thief and a blackguard, and used very foul language. The prisoner: I am a respectable married woman. Inspector Clitheroe, of the K division: She is a married woman, but not respectable. The prisoner: I am respectable. Inspector: If you are not respectable, you have been brought up before for being drunk and disorderly. The prisoner said her husband was the father of a spilt, and she expected him home. She went to the Victoria dock to meet him. The ship did not arrive. She met with a female, who stole the interior of a valuable dress, and a white handkerchief, and who wished her to drink. Mr. Partridge: How came you to be drinking with a strange woman? The prisoner: I don't know, sir. I knew it was wrong. Here is the name of the brough. The name is gone. I had a sailing to pay the cab fare, and the driver gave me to the station-mistress. Mr. Partridge: You were drunk and noisy, and if you have been robbed it is your own fault. Your conduct was恶劣,可耻的, but very disorderly. I fine you 10s., and discharge you for payment within seven days' imprisonment.

SOHO MARK.

SHAMEFUL HORSE-RIDE.—William Plant, a horse keeper in the employ of Mr. George Weymouth, the proprietor of the Horse Shoe Tavern and extensive livery stables, Soho-road, Brougham, was placed at the bar for examination, charged with stealing a quantity of corn, the property of his master, and intended for the horses under his charge. Mr. Bunn, who attended for the prosecution, said that the charge against the prisoner was one of a shameful nature. He was employed as a servant in his master's stables, in Brougham-street, Dover-road, and instead of the valuable horses under Mr. Weymouth's charge, and his own property, being supplied with their regular food, it was suspected that the prisoner stole the corn. In consequence of that he was watched, and unseated in his stable-service. Mr. Edward Rowney, who also was in the employ of Mr. George Weymouth, who had extensive stables at Soho-road, as well as Swan-street, where he kept valuable horses. It was witness's duty to feed the horses at the latter place, where the prisoner was engaged to cut the chaff and mix the food, but he had no right to interfere with the corn, or carry it to the horses, or carry any off the premises. On Monday afternoon, having suspicious in the prisoner's honesty, he watches him, and sees him leave the premises, and places a bag in a barrow, which he had outside, to wheel off. Witness, however, stopped him, and on examining the bag he found it to contain corn, which he identified as a portion of that used to feed the horses. The prisoner at first denied putting it there, but he afterwards admitted stealing it, and begged me to forgive him, and say nothing more about it. He, however, called a constable, and gave the prisoner into custody. Joseph Jackson, 276 M, said, on apprehending the prisoner, he demanded the corn, but it was his first offence. Mr. Evans asked the witness to deal with the prisoner in a summary manner, when the prisoner pleaded "Guilty," and begged for mercy. The magistrate told him that his conduct was shameful. He was not only robbing his master, but keeping the horses without their food by his shameful act. His master, Mr. Weymouth, therefore, sentenced him to four months' imprisonment.

LAMBETH.

JEALOUSY AND MURDEROUS ASSAULT.—Alfred Wood, 43, a journeyman carpenter, residing at 14, Lambeth-piazza, Lambeth, was examined before Mr. Elliott, on a charge of committing a malicious assault against his wife, Harriet, while under a paroxysm of jealousy. The wife, a decent-looking female, who had to be assisted into the witness-box, and who appeared to be in a very low and dejected state from excessive loss of blood, said that on the morning of that day week the prisoner, who was jealous of her without the slightest cause, made a forcible attack upon her with a saw in each of his hands, and held it to her breast. She was then in a fainting fit, and he continued his attack. He then committed the assault on the wife in consequence of his jealousy of one of the waitresses called, and who, he said, had been in the habit of visiting his wife during her absence from home. This the wife and the alleged perpetrator denied, and Mr. Elliott committed the prisoner to six months' hard labour.

CHAMPAGNE Tasting.—Mr. Vickers, the distiller of 26, Jermyn-street, St. James's, attended to meet a charge of being drunk and incapable of taking care of himself at his house on Friday evening last. Mr. Vickers should have attended on Saturday last to answer the charge, but did not do so, and by direction of Mr. Elliott, a message was delivered to Mr. Spencer, of the Bridge House Hotel, who had taken him out of that morning, that if he had not attended on Monday he would be granted to bring him up in custody. A solicitor, who attended Mr. Vickers, said that the witness that was from Mr. Elliott expected the part of his defence to be that he had not attempted to force his wife into the street, the charge, but owing to some important business. In fact he (the solicitor) was in attendance at ten o'clock, and understanding that the case would not come

on for some time went out, and on coming back was informed that it was put off till that day. Police-constable Henry Parker, 156 P, was here sworn, and said that on the Friday evening he was on duty at the Elephant and Castle, Newington, when his attention was called to Mr. Vickers, who was on horseback, but so drunk that he appeared to have no control over the animal on which he was mounted. He had fallen off once, and having no doubt whatever that if allowed to go on some serious accident would happen, he, witness, secured the horse and took Mr. Vickers to the Carter-street station, where he was detained for some time, but subsequently bailed out. In answer to a question from the attorney, the witness said that Mr. Vickers might have been able to walk to the station, but while going there he had the assistance of his arm, Mr. Elliott: Was the defendant riding furiously when you saw him? Witness: He was not; but he appeared to have no control over his horse. The solicitor, in reply to the charge, said that the fact was that his client, Mr. Vickers, had in the course of his business been tasting some champagne, and having subsequently mounted a friesian horse the motion affected him. Near St. George's Church, in the Borough, one of the stirrups broke, and he tumbled off; yet he thought he should have been enabled to ride home in safety. Mr. Elliott convicted him in a penalty of five shillings, the usual drachard fee, and that amount being at once paid, Mr. Vickers and his friends left the court.

GROSS CRUELTY TO A CHILD.—Annie Smith, a middle-aged married woman, was charged before Mr. Elliott with being drunk and ill-tempered with her child, fifteen months old. Edward Davis, a butcher, said that on Saturday afternoon he saw the prisoner near Lambeth-walk in a state of excessive drunkenness, and carrying the child in her arms. Considering the child in great danger, he watched her for some time, during which time she went into two beer-shops, and had a half-pennyworth of beer in each, and knocked the head of the unfortunate child three times against the wall, causing it to scream violently. The passer-by called out shame, and having no doubt that she would have done some serious injury to her child, he took it from her, wrapped it up in his apron, and gave it and the prisoner into the charge of a constable. The witness added that the child was in a very dusky state, and was nearly naked, having only a thin wretched rag to cover her, and had his (witness) not protected the child, she would have been "limbed" by the wives of the men in the employment of the Messrs Mandells, in the Westminster-road. The prisoner said she went out to get some soap and soda, and had got a drop too much. Mr. Elliott remarked, that it was quite shocking to see the mother of children in such a state, and using such cruelty towards her own offspring, and convicted her in a penalty of 20s. or twenty days.

HAMMERSMITH.

A CASE OF KLAPTONIANA.—Sarah Crabb, a respectable married woman, whose husband is a carpenter, and in work, was re-examined before Mr. Arnold on a charge of stealing a piece of salt beef from the shop of Mr. Liver, a butcher, of Archer-street, Notting-hill. It appeared that the prisoner was suspected of pinching pieces of meat on her visits to the shop to make purchases, and on the day in question she was watched and seen to take the beef, which she carried away after paying for a piece of meat, and when brought back it was found in her possession. Mrs. Ives now addressed Mr. Arnold, and said that as the prisoner had been locked up for a week, and as a respect for her husband and family, she did not wish for her to be detained any longer. The prisoner implored her to be discharged. She had respectable persons in court to give her a character. Mr. Arnold, after hearing witness to the character, asked the prisoner what could have induced her to steal the piece of beef. She was not bodily off and had money in her possession. If she had been a poor person who had yielded to sudden temptation because she was starving, there might have been some excuse for her; but he could see no excuse for a respectable married woman who went into a shop and made a purchase to null suspicion while she stole the beef. He could see no ground whatever for deciding leniently with her, and he sentenced her to be imprisoned for three months with hard labour. The prisoner was removed in an almost fainting state.

WANDSWORTH.

DETERMINED ATTEMPT AT SUICIDE.—A SADOWFUL STORY.—John Elvidge, who was described as a cook, was brought before Mr. Dayman for re-examination, on a charge of attempting to commit suicide by swallowing a large quantity of laudanum. Mrs. Alice Cox, the ladybird of the house, said the prisoner was a stranger to her, and she let him have a bed for the night. On the following morning he called witness to his room, and requested her to send for a policeman, as he had poisoned himself. She immediately acquainted her husband with what had happened, and he went for the doctor and police. The prisoner, on being called upon to make any statement he thought proper, said he had travelled abroad for thirty-one years, and always bore a good character. He then proceeded to state—apparently with great difficulty, his emotion being so severe that he could scarcely give utterance to his words—that he was married to the best of wives, and he was afraid that some one had kidnapped her, and had hidden her away from him. Since his return from America he had searched for her, and when the letter which he addressed to her was returned to him he was distressed. What he wanted was to be able to correspond with his wife, when he would obtain another ship. Mr. Dayman committed the prisoner for trial.

GREENWICH.

VIOLENT ASSAULT ON A FEMALE.—James Almond, a young man residing at Deptford, and who has been frequently convicted of violent assaults, was charged with assaulting Kate Mortimer. The complainant, who belongs to the class of untouchables, said that about eleven o'clock at night she was passing along Duck-street, Deptford, when the prisoner came up to her and looked under her hat. She had never before had any conversation with him. The prisoner then said, "It is you, is it?" and immediately struck her a violent blow, which knocked her down. While down the prisoner kicked her on the arm, and on getting up he knocked her down again, and seized her by the hair of the head. She called out "Murder," and a young woman came to her assistance, and got the prisoner away. Jane West, a young woman, said that while in bed she heard screams of "Murder," and on looking into the street she saw the complainant on the ground, and the two young men who were standing near having hold of her by the hair and knocking her head against the kerb. She immediately ran out and laid hold of the prisoner, succeeding with great difficulty in getting his hands out from her hair. On saying to the prisoner, "Do not murder the young woman," he called her (witness), a vice name, and threatened to serve her in the same manner. Mr. Trail: Did the complainant or the prisoner been drinking? Witness: The complainant was not drunk. The prisoner appeared sober. The prisoner denied the assault, saying that he and another young man were walking along the street when, bidding the complainant lay on the ground, he went to assist her up, and he was then accused of having assaulted her. He said his companion was a witness, but his statement differed materially from the defense set up. Mr. Trail sent the prisoner to two months' imprisonment with hard labour.

A DANGEROUS FREAK.—Michael Mahoney, an inoffensive-looking and slim man, of Tanner-street, Deptford, was brought up on remand, charged with burglariously entering the house of James Couth, at Deptford. The prosecutor said: Between twelve and one o'clock on Saturday night last I was woken by my lodger, who said he thought there were thieves in the house. I jumped out of bed, got a light, and went down stairs, and on entering the front parlour I found the prisoner sitting in the arm-chair, with his hands on his knees. (Laughter.) I held the light up to his face and looked at him, and he looked at me. (Laughter) Number of us spoke, and I quietly "backed" out of the room, and locked the door upon the prisoner—(laughter)—and sent my lodger for a policeman, remaining myself to prevent the prisoner escaping. On a constable coming and entering the parlour, it was found that the prisoner had slipped off the chair on to the floor, and he was then taken into custody. Mr. Trail: Did he appear to be drunk? Prosecutor: Not at all, your worship. He pretended to be asleep, but opened his eyes quickly enough when I held the light to his face. (Laughter) Police-constable 92 K said: I took the prisoner into custody, and on doing so, and asking him what business he had in the house, he said, "I have not stolen anything; he has missed anything?" On searching the prisoner, only a few shillings were found on him. On examining the prosecutor's premises, a found that a pane of glass in the parlour window had been cut out part and part. The prisoner had been drinking. He must have got through the opening made by cutting out the pane of glass. (Laughter) Mr. Trail: I should hardly think that pane. What is the size of the window-panes? Counselor: They are seventeen inches by fifteen inches, your worship, and the prisoner, who is very thin, could easily get through the space. The window was broken, and pane of glass before the window not knocked down, except one opposite the pane of glass cut out. George Kelly, the lodger, said he first heard a knock at the street door, and then a noise of a person in the house, when he awoke the prosecutor. The prisoner, in his defence, said he had been drinking, and could not say how he came into the house. He produced a letter, showing he was in regular employ, and bore a good character for honesty. Mr. Trail said the prisoner had been nearly a week in prison through his folly, for he did not like it like a person who intended to commit a burglary would trust to break in at the street-door. (Laughter) He should now order the prisoner to pay a fine of £1 for being drunk, and to enter into recognisances to be of good behaviour for three months.

[Nov. 5, 1864]

THE RECENT GALES.

Of the many serious casualties which occurred on Saturday and Sunday week on the northern coast, we give the following particulars:—

Sixty-five after five o'clock in the evening a most exciting scene occurred at Tynemouth. About that time a schooner, the John Silver, of Barrow, from Hamburg, drifted on the rocks under the Spanish Battery, and grounded. The North and South Shields lifeboats were pulled down. But from the position of the vessel, none of these boats could approach her. The apparatus for rescuing life was brought down to the rocks by the Coastguard, and two lines were fired over the vessel, but for some cause or other the crew were unable to use them. In this dilemma, a most gallant act was performed by Edward Fry, his son William, his nephew, James, William Ferguson, and Edward Tavarer. With assistance they carried a small boat, the California, which drew less water than the lifeboat, from Prior's Haven to the Spanish Battery rocks, and launched her; and then with stout hearts the same brave fellows manned her, and pulled her out to the vessel. They succeeded in taking off nine of the crew and a little boy seven years of age, the son of the master. Having landed them, they went off again, but the master, Mr. Wilson, and the mate refused to come ashore. Afterwards, as the sea began to make, the three Frys again pulled off to the ship and induced the master and mate to get into their boat, but when they got them they could not land them on the rocks, to such an extent had the sea risen, and they were obliged to pull them to the Low Lights. The crew of the vessel and the little boy were taken care of at the Bath Hotel, and as soon as the master and mate were landed, they were taken to Mrs. McCallum's, Low Lights, where they were well provided for.

The most melancholy tale is that given by a St. Andrew's correspondent:—"During the storm, a foreign brig, which bore the name of Napoleon, appeared in St. Andrew's Bay, and a short time

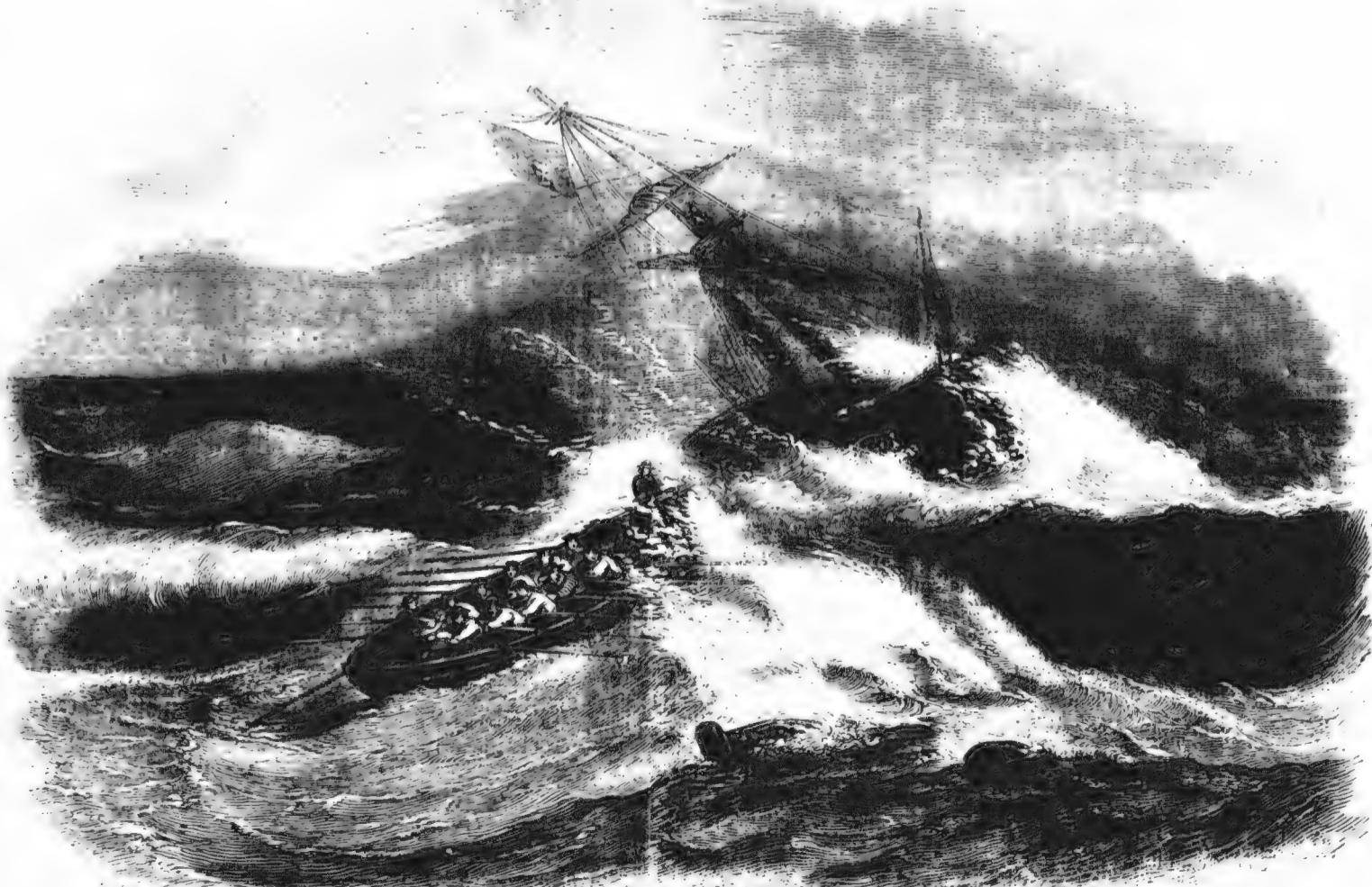
A LIFE BOAT CREW READY FOR THE RESCUE.

after ran right in on the rocks immediately beyond Boardills harbour. Sir Thomas Erskine rode into St. Andrew's and got the lifeboat out to Boardills in order to save the men. But from the dangerous character of the rocks, and the heavy lashing of the sea, the attempt was found to be of no use. Sir Thomas

vessel proved to be the "Agnes," Captain Winter, bound from口岸 to this place, with a cargo of stone. We give an illustration of the lifeboat and crew approaching the wreck; and also an engraving of a lifeboat crew ready to proceed on their heroic mission in rescuing the shipwrecked mariners.



A LIFE BOAT CREW READY FOR THE RESCUE.

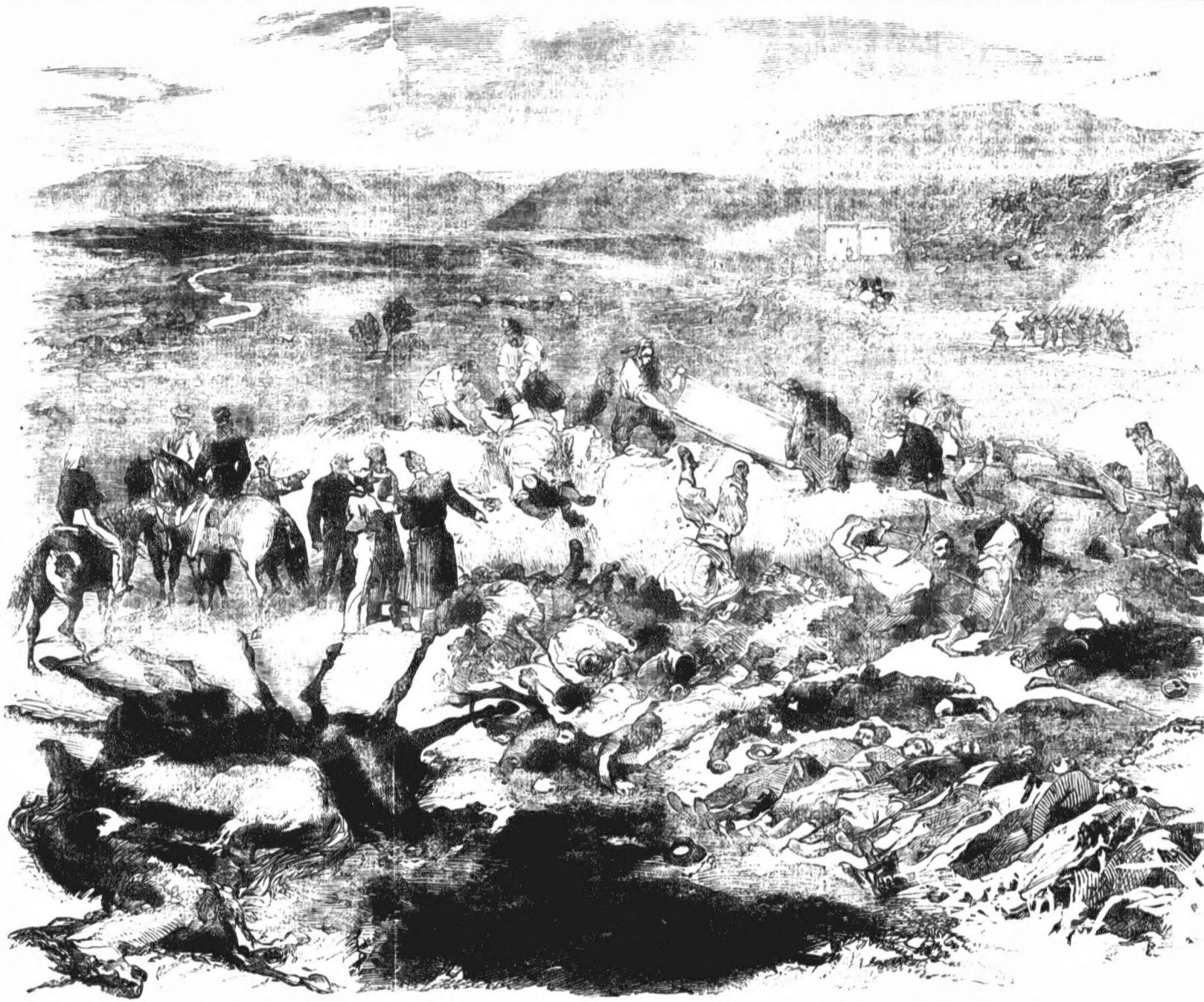


THE RECENT GALE.—THE LIFE BOAT PROCEEDING TO THE RESCUE OF THE AGNES OFF THE COAST OF SCOTL. ND.

len rode off to Crail to obtain a rocket apparatus, during which time various means to save the crew were resorted to. One of the crew attacked a rope to a plank and threw it overboard, but those on shore failed to reach it. He then plunged into the sea, and endeavoured to gain the shore by swimming. He bore up manfully for some time, but before he came within the reach of human aid he sank and was drowned. Encouragement was held out to them by means of a pointed board which was hoisted. The hopes of all for their safety revived by the arrival of the rocket apparatus; but there were only four rockets, and one only of these went over the vessel. The rope attached to this unfortunately broke, and all hope was gone. The shades of night were fast gathering round, and shortly after the sunken crew and all."

Mr. Alex. Sim, of Lossiemouth, reports the following gallant service of the National Institution's lifeboat on that station:—

"At daybreak on Friday morning last a vessel was discovered stranded amongst the breakers about a mile to the eastward of this port. The lifeboat stationed here, belonging to the National Institution, was immediately launched, and rowed through a very rough sea to the rescue of the shipwrecked crew of three men who were seen clinging to the vessel's rigging. The lifeboat's crew were so exhausted by the time they reached the wreck—that some of them having been washed out of the boat more than once—that they were unable to pull the boat alongside through the breakers. A large crowd having collected on the beach the boat was run ashore and a fresh crew shipped, who pulled most nobly alongside the vessel, and with heroic exertions, and at great personal danger, succeeded in taking off the three men and landing them in safety. The



THE WAR IN AMERICA.—BURYING THE DEAD ON THE BATTLE GROUND, NEAR SNAKE CREEK. (See page 322.)

Literature.

THE TRIALS OF THOMAS ATKINS.

ST. JAMES'S MAGAZINE. London: W. Kent and Co., Paternoster-row.—We have repeatedly had occasion to notice the admirable articles in this ably-conducted and well-edited magazine. The parts for the last and present month are particularly interesting. Its leading feature, "Only a Clod," from the talented pen of the author of "Lady Audley's Secret," increases in interest, and this alone is sufficient to give the highest tone to the magazine under notice. "Working in the Dark" is another excellent continuous tale, by the author of "The Duke's Motto" and "Bel Demonio;" and, besides these, there are ten other entertaining and readable articles in the part before us, which we cordially recommend to the notice of our readers. We make an abridgment of one of the articles, under the above title.]

"TWENTY SIX FOR Y TWO—that's your number, young fellow; see you don't forget it," said Sergeant Wagstaff to one of a batch of newly joined recruits.

Even if No. 2,642—Private Thomas Atkins—had been afflicted with the shortest memory in the world, his regimental number would hardly have escaped from it; for it was marked in indelible ink, stamped, burnt in, and otherwise infallibly imprinted on each and every article in his possession.

He had that morning been marched into barracks by an old pensioner employed on the recruiting service, who had caught him in a state bordering on that of nature in a neighbouring village, sans work, sans food, sans clothes, sans everything, and only too glad to take the shilling. All his troubles were before him. He was still in his "rags" (the original habiliments of a recruit are always called "his rags"), and he was a strange contrast to the trim soldier who was buckling on his belts alongside him, and putting the last finishing touch to his attire.

There were some fifteen or twenty men in the room. Every one seemed talking, singing, or whistling at the same time; and above the clamour rose in stentorian accents short sentences, such as "Turn out the men for guard," "Higgins, Thomas Cootery, and Macnamara, are for coal fatigue;" ("Bad luck to that!") "The adjutant wants Sergeant Wagstaff;" "Orderly men for rations;" —when suddenly the door is thrown wide open, and an impeded and excited orderly corporal rushes in and shouts, in a voice a key higher than anything which has gone before, "Tchum!"

! This cabalistic sound is like oil on the waters. It calms everything to instant rest. All work in progress is suspended, every tongue is hushed, every man springs up erect, looks straight before him, and stands motionless as a statue. The newly numbered and registered 2,642, Thomas Atkins, is more bewildered by this proceeding, and by the death-like stillness which follows it, than he was by all the previous bustle. He turns to ask some one to explain, but no one will speak, when a crashing of boots on the staircase, the appearance of the tip of a scabbard, followed by an individual in a blue coat and scarlet sash, proclaims that "the captain" is visiting the barrack-rooms, and the monosyllabic ejacula-

tion which heralded his approach is the translation into military vernacular of the four-syllabled word, "attention."

"Who are you?" is the captain's first greeting to our friend Atkins. Corporal Snivel officially replies for him that he is a recruit. "What's he doing here in his rags then? Take him away—take him away. Take him over to the stores and get him some decent clothes, and make away with those filthy things you have got on. Do ye hear, sir?" And the captain turns his back on him and proceeds with his inspection.

The ragged Atkins is now seized by Corporal Dodgson, and carried off to the quartermaster's stores. Here he receives, in part earnest of his kit, a shirt, a pair of socks, trousers, jacket, and forage cap, all duly marked with 2,642, the which having assumed, he stands forth as a bumpkin disguised in soldier's attire.

Let us pass over the first week of the novitiate of Atkins in soldiering, wherein he is subjected to a course of training calculated, in the sententious words of the drill-book, "to banish the air of the rustic, and improve the carriage and bearing of the soldier." Long, weary hours of intense suffering, standing on one leg, kneeling on hard stones in novel and constrained positions, whirling about gigantic clubs, jeopardizing the lives of all around, juggling nine pounds three ounces of Enfield rifle under his arms, between his feet, over his head, behind his back, marching backward and forward over the same ground, trussed up in tight belts, and weighted with a portmanteau and an ammunition pouch, to the tune of "Right, left, bi! bi! you Atkins, change your step, will you?" and such like; judging distances, shooting blank ammunition and shooting real bullets, sponging out rifles, &c., &c., &c., form the leading features of this novitiate. And one fine morning the senior drill-sergeant reports Thomas Atkins to the sergeant-major, the sergeant-major reports him to the adjutant, and being finally approved of, he is handed over to the orderly-sergeant of his company as a "duty man," to be dealt with as seems fit to that important functionary.

Who would recognise Atkins the boor in Atkins the sentry, on No. 2 post of the barrack guard, near the officers? He has learnt how to pipeclay his belt, how to "bottle" his pouch until he can see his face in it, how to put on his clothes. His fresh-coloured, smooth-shaven face looks bright and intelligent. His clean, straight limbs and muscular frame are shown off to advantage by his, perhaps, rather too tightly fitting uniform. There is no vestige of stoop or slouch in his gait as he treads his beat "in a brisk and soldier-like manner." He knows by heart the board of orders, hanging up in his sentry-box, and conscious of the power therein entrusted to him, he is a terror to all the vagrant children around, to all stray and masterless dogs, to all soldiers' wives throwing dirty water where they shouldn't, to all soldiers in shirt-sleeves, wandering on forbidden ground, to everybody not doing what they ought to, and nobody doing what they ought not.

Six months after his enlistment, which took place at one of the depot battalions in the south of England, came the orders for the annual drafts to head quarters. Atkins, who when he joined was possessed of some scholarship, insomuch as he could read and sign his name, has, under the schoolmaster sergeant, so far improved himself, that he has already got a "lance" stripe. A truly nu-

envious position is that of a corporal upon whom is conferred the dignity of a "lance," or acting corporal's stripe. A little less than a non-commissioned officer, a little more than a private, he has all the difficulties of maintaining a grudgingly recognised authority over his comrades, without sharing in the advantages of the non-commissioned rank.

But we will suppose that the curtain has fallen on the first act of the soldier life of Thomas Atkins. We will imagine, while we are gazing on the painted gods and goddesses displayed, disporting at random across the drop-scene, that on the stage behind, Thomas and his draft are steadfastly making their way across the Atlantic; and when the curtain again rises, we shall discover the interior of a citadel, overhanging a city, which shall be nameless.

The British officer is at breakfast; an unfortunate mess-waiter is bringing up relays of toast and salmon-cutlets, and taking fresh orders, as officer follows officer into the room. Breakfast begins generally about 8 a.m., and at this hour the officer on duty, and the one officer (there is generally only one in a regiment) who is an early riser, make a luxurious and comfortable meal, and are well waited on by a calm and dignified waiter, resplendent in clean white choker and jacket. But in an hour's time it becomes evident that, in the mess at least, all the ordinary professional notions of prompt obedience to orders are a mistake, and all ideas of subordination are reversed. Teape, the junior mess-waiter, is a man of fierce and implacable nature, who loses his temper every morning at 9 a.m. precisely; after that hour no earthly power will get him to say "Yes, sir," or "Very well, sir," or to make any other acknowledgment of any order issued to him; he leaves the issuer of the order in a state of blissful uncertainty as to whether he has heard him or not.

MacManns, the senior mess-waiter, who takes the duty alternate days with Teape, is the exact reverse of his fellow labourer; he is dull and phlegmatic, slow in his movements, a man whom not even the whole tidy of the subalterns, spurred on by the blowing of the last bugle for parade, and madly eager for only a mouthful of breakfast, can egg on to excite himself. There has been a feud in the mess for five years, as to the propriety of sending both Teape and MacManns back to their duty in the ranks.

It has already struck nine, and Teape has already shown signs of vice. Five or six men are breakfasting, to whom enters Jervois, the adjutant.

"Morning, Jervois." "Good morning all round" "Any news?" "Teape, get me some breakfast—mail just coming in—signalled soon after daylight. Got troops on board—drafts, I suppose—time for 'em. What with the works and rifle drill, devil! few men for duty. I say, Teape! (Teape puts his head inside the door) look sharp with my breakfast; I've got to go down—" Teape dares not to listen to any more, and closes the adjutant's speech by shutting the door.

The gun has fired; the steamer has ranged alongside the stage; the mails are disgorged of the passengers, and the ground at length clear. One hundred and fifty woe-be-gone recruits, whose pale faces are the index of the state of their stomachs, and whose limp buffaloes prove that the weather which they have encountered was not such as to allow of much pipeclaying, "fall in" on *terra firma*.

"Attention—number—form fours—right—quick march." The band strikes up, and the whole proceed, as cheerfully as they can, to barracks. Here they are halted, inspected by the colonel, and having been divided into small parties, are handed over to the orderly sergeants of the several companies.

Our friend Atkins is posted to No. 5 Company, and in a few days falls without difficulty into the ways of head-quarters. The soldiers worship the god of war in the same way, whether he is on this or on the other side of the Atlantic or Pacific. Atkins found that, with a few technical differences, his duties as lance corporal were to the full as arduous as, and almost identical with, those at the depot. Indeed, it may be said that the little inner world of a British regiment is the same everywhere; on the shores of Lake Huron, amongst the troublesome Maories, on the frontiers of California, within the rocky fortifications of Gib' in Maiti, Nova Scotia, Hong Kong, throughout the widely-dispersed possessions of her Majesty, on which the sun never ceases to shine, small soldier communities exist at this moment, which are all governed by the same laws, armed with the same weapons, dressed (with but too little regard to the varieties of climate) in the same brick-dust coloured garments, and performing every day the same routine of professional duties. The guards mount, the men dine, and the defaulters have their marching order drill at the same (relative) hour all over the world; and, in the same position with a gr-at many other lance corporals in various other parts of the globe, Atkins found himself one day the corporal of the inlying picket. The work was not hard; he could not leave the barracks throughout the day, it is true, but the duty counted as a guard, and he could turn in at night and sleep between the blankets on a straw pallasse (a more pliant resting-place than a hard wooden guard bed), undisturbed by the inevitable relief of sentries every two hours. The last post as the second bugle at tattoo sounding is called, had gone; the adjutant had inspected and dismissed the non-commissioned officers; and the picket was waiting to be dismissed by the orderly officer, who was collecting the reports.

"Five men absent, sir," says the sergeant-major, saluting. "Sergeant Bampton has sent up to say that there is a row going on at Mr. Slam's, the drinking-shop. I suppose some of these men are in it."

"I dare say. You had better send the picket down at once. Let them take their side arms and a couple of sets of handcuffs." "Very good, sir;" and the picket started at once.

We must here pause to say that in one of the street's bordering on the harbour, a Yankee, of enterprising character, had pitched his tent. He had opened a dram-shop of some pretensions, and his store was much frequented by the soldiers of the garrison. Inasmuch as the command of money possessed by the soldiers was limited, much luxury or choice in the drinks exhibited at Slam's was not to be expected. The daily fourpence of the private could not be supposed to purchase such refreshments as champagne, cocktails, brandy-smashes, or sherry cobblers; nor would these feeble beverages have exerted the required stimulating influence on the seasoned brain of the soldier. Mr. Slam recognised, as a first principle, the importance of selling such liquors only as would go well to the head in the shortest given space of time. To effect this but yet to leave a margin unmistakable for profits, he was compelled to deteriorate his spirits by the admixture of vitriol, disguised under the form of molasses. At the same time he paid delicate compliments to the profession of his patrons, by christening his compounds such names as "Fixed Bayonets," "Burnt Ramrods," "Double March," and the like. After afternoon parade, after the roll-call, Mr. Slam's premises were usually quite full. The fun became pretty fast later in the evening, but the house being rather notorious, it was periodically visited by the picket, and the sergeant of the garrison police was continually dropping in to see how things were going on. There was a clearance *à la et arms*, at tattoo sounding. It was no use even for a man who was determined to stay absent to remain at Slam's. At Slam's would have been the first place to look for him; and as Mr. Slam's good name was precious to him, he was very chary of harbouring any one after the regular hours for closing the barrack gates. He felt that the eye of authority was upon him, and was careful accordingly.

His establishment consisted of a long barn-like shanty, furnished with narrow deal tables, and hard benches. The tables were discoloured by the droppings of stale beer, the benches cut and worn by constant use. A strata of mud, brought in by the professional blucher, and tobacco ashes, lay an inch deep upon the floor. At one end of the shanty was the main entrance from the street; at the other was a bar, behind which stood Slam, and within the bar, upon one side, a door opened into a smaller room, where Slam kept his stock of spirits, within which again a door communicated with Mr. Slam's private apartments.

A very respectable disturbance had been got up in Mr. Slam's shop long before the picket made its appearance. The five absents, being light-hearted, had refused to return to barracks when ordered by Sergeant Bampton to do so. With them were half-a-dozen rowdy loafers of the town. Foreseeing trouble, Mr. Slam had stopped the supply of drink and closed the bar. Exasperated at this, our precious lamb had threatened to pull the house down. Slam instantly retreated into his spirit-room, thence into his own house, carefully removing all that was fragile, and locking the door behind him.

Meanwhile, the walls of the shanty having proved too stout to be kicked down, the rioters determined to carry the war into the heart of the enemy's country. Having dragged up the tables and benches to the door opening on the street, they formed a strong barricade against interruption on that side, and then staggering towards the bar, they climbed over it, and tried to force an entrance into the spirit-room. The locks were stout, and the rascals mostly too drunk to be able to do much harm. But a burly Irishman named McNamara, one of the grenadier company, who was very cunning and determined in his cups, swore, "Be jebbers, we'll have the heart of that pitiful coward Slam, and drink his rum afterwards." Having elected himself the ring-leader of the gang, he led the assault against the refractory door in person. "Try a kick altogether, lads—one—two—now, as the blackguard adjutant says, work together, men; one—two—three!"

Snap! went the fastenings, and headlong fell the whole lot into the spirit-room. Picking themselves up, they were soon drinking as if in the last pangs of thirst. But McNamara despaired to drink while there was still work to be done. Peering through the key-hole, he had discovered the miserable Slam, cowering in the inner room, and with him his daughter, pretty Mercy Slam.

"Are ye there, ye mean hound?" he cried. "Wait till I get to ye. Begorra, I'll give ye a skinful of broken bones! Ay, by the powers," continued the gallant Irishman, "and I'll kiss the young woman before your face."

Crash! went the second doorway; in an instant Slam was sprawling upon the floor, and Mercy was struggling in the ruffian's arms. At this moment Atkins arrived most opportunely on the field. Taking in the situation at a glance, he threw himself upon McNamara, and after a short struggle he brought him to the ground. The rest of the gang, attracted by the noise of the contest, looked up from their interesting work in the spirit-room, and came forward in a body to make short work of our gallant corporal.

"Run out, Miss," said Tom, "and call the picket: they are at the other door;" and drawing his bayonet, he kept his assailants at bay until succour arrived. McNamara was handcuffed; the rest were quite helpless, and gave in without a blow. In a few minutes the whole party returned to barracks.

Two days afterwards the prisoners were brought up before the colonel. Atkins was sent for to give his evidence against them. Slam, with his head bound up, was also there. McNamara was

remanded for a court-martial; the others were punished with short imprisonment and long confinement to barracks.

"Corporal Atkins," said the colonel, "from what I can hear, you seem to have behaved very well the other night I find from Mr. Jervois, too, that you are well up in your drill and duties; I shall therefore appoint you on probation to the garrison police in the room of Corporal Langstaff, who's going as a warden to Stonehouse Prison. If you give satisfaction, before the end of the year you shall have your second stripe and be appointed permanently. As for you, Mr. Slam, if such a disgraceful affair should occur again, I must close your house to my men. No excuses; I am quite sure that all this might be prevented if you chose."

And now come pleasant times for Thomas. As corporal of the garrison police he was to a great extent his own master. He spent all his nights in bed. He was admitted to the inner sanctuary of Mr. Slam's establishment, a private room set apart for sergeants and officials of high rank. For him Miss Mercy put on her brightest smiles; for him the barrack gate opened at all hours; for him the weariness of drill had no horrors. But in return for all this, he had a responsible post; for he was supposed to be continually on the watch to check desertion,—for the garrison towns of which we are speaking was not many hundred miles from the United States. The exaggerated reports of the high price which labour then obtained, and the graceful and tender amenities showered (in those days!) upon the soldier of the Union, often led misguided men to forsake themselves, and show a clean pair of heels. The town, moreover, swarmed with crimps. These scoundrels were ever on the watch for the weak-minded, and ever ready to detect the first symptoms of a wavering allegiance. They listened greedily to the dissatisfied soldier, weary of the monotonous routine of garrison duty, eager for change, grumbling over his fourpence, and the paucity of luxuries which it afforded him. At the proper moment they stepped in. They drew gorgeous pictures of the opulence and of the peaceful, tranquil existence of a citizen of the United States. They showed how a labourer might by sheer strength of arm alone, earn daily the equivalent of a month's pay. They declared that for those who were fond of their profession, soldiering in the army of the United States was one of the pleasantest pastimes which a man could choose for himself. There was no such thing as defaulters' drill. They got five meals a day and lashings of drink. They might rise to rank of the most extraordinary dimensions. The States, in fact, were paradise, and the 175th Regiment the valley of the Slough of Despond. With such artful beguiling did the crimp charm the British soldier out of his senses and his duty. Deserts were of frequent occurrence.

Under the more harmless exterior of a drinking-shop, Slam's was a regular hotbed and focus for crimps. Slam himself was in league with them, but he was very cautious, and never appeared in the business himself. Not many weeks after his appointment to the police, Atkins was spending an hour off duty flirting with Miss Slam in the little parlour where he had rescued her from the hands of McNamara. Miss Mercy was a trim young woman, with a neat figure and—

Inky eyebrows, black silk hair,
Bogie eyeballs, and cheek of cream!"—

altogether, a hard, uncompromising sort of beauty, who, after a few years of married life, and in a barrack too, would soon develop into a shrew, with a sharp nose, and a still sharper tongue.

"Well, Mr. Corporal," at last she said, "I can't stay here busnacking all the day; I've got a squash pie in the oven down to the kitchen, and I guess it will be all burnt up to nothing. Git out," she added, as the corporal put himself in a threatening attitude,—"git out—don't raise my dander. Take that, then!" and she left the corporal rubbing his cheek, and wondering why she had been christened Mercy.

Thomas was buckling on his waist-belt previous to going into the street, when he heard voices in the inner room, which, it will be remembered, was the spirit-room.

"Lockeybar! I tell you now is the time. The boys are all quite spry. Why shouldn't they make tracks now right away?"

"Wa-ah!" said Slam's voice, "yew jest keep calm; don't fuster yerself. Calkilate we ought to get some more. The more the merrier."

"Guess Sergeant Morgan here," said the other, "wants to get off as soon as he can, and he's right tow. For why should he stay in this ere God-forsaken country, when all the walth of the universe is awaiting his arrival down tew York? Darn me if I know."

Atkins had pricked up his ears, and was not restrained from listening by any false notions of delicacy. A new voice now joined in; Atkins recognised it as belonging to a young sergeant in his own company.

"Yes," said Morgan, "there are eight of us sworn, and we don't want more to go through with it. I should like to start."

Atkins' ear was close to the keyhole. For nearly half an hour he listened eagerly. Gradually it dawned upon him that he had stumbled on a deep-laid plot. Sergeant Morgan and eight more had bound themselves to desert in a body, carrying off arms and ammunition, and, if necessary, fighting their way through the posts to the frontier. Being young at his work, Atkins was at first at a loss how to act. But it was evident he ought to escape from the house as soon as possible. Turning hastily, in his precipitation he fell over a chair, and was discovered.

"Apple sarce and airthquakes! who's this?" said Slam.

"Gee-hoshphat!" cried the crimp; "let's gouge him!"

"Corporal Atkins, by all that's holy!" said the sergeant. "Don't let him out; hold on to him! Now, you sneaking vagabond, give an account of yourself—what have you heard?"

Atkins felt the knuckles of the burly crimp inside his stock, and was hardly in a state to reply; besides which, his instinct of self-preservation tempted him to hold his tongue.

"What does it matter what he's heard? Do you think he'd tell us the truth?" said the crimp; "we must make him a Son of Freedom."

"No you won't!" incisively shouted Atkins.

"Oh! ye heard that much? Very well—make him fast to the table, and we'll discuss matters a bit."

The three withdrew to the further end of the room, and were soon engaged in a close conversation. It was no use letting Atkins go on the chance of his having heard nothing; they rather shrank from the villainy of making away with him, though the crimp at once proposed it. Sergeant Morgan was for keeping him a close prisoner until they were well off.

"That's mighty fine," said Slam. "but I'm not going to desert, and when you're gone and we let him out, he'll peach and bring down the beaks on me."

The only course which seemed at all good was to terrify him into joining in the plot, or so to work upon his feelings as to compel him to swear not to divulge a word of what he had heard.

"The lad is rather nuts on my Mercy," said Slam; "let's try what she can do with him."

Unfastening the corporal from the table, they removed his bayonet from its scabbard, and leaving his hands still bound, they dragged him up-stairs to a small bedroom, and tied him up to the bedst.

"Make up your book, you vagabond; you'll be in kingdom come in an hour. Our game is too deep to be lost through such poor stuff as you!" And they left him to his cogitations.

Anyhow, he was resolved not to give in. They might do what they liked to him, but his duty was clear. That he himself would not desert he was determined; still he could not quite see how he was to prevent the others from going off. As he was revolving all these things in his mind he heard some one at the door, and prepared

himself for the worst, thinking his last moment had come. The bolt shot back, the door was stealthily opened, and the anxious face of M-rcy was disclosed.

"Blessings on you, Mercy," said Atkins; "have you come to let me loose?"

"No, Tom, I can't do that; reckon they're watching down below. And if I did, how could I get you out of the house? Oh, Tom, what have you been up to? I have heard them cursing you, and threatening to do for you this last hour."

"Never mind, Miss Slam, I know my duty; I'm not frightened by their blustering."

"But, corporal dear, why don't you do what they want? It ain't much they ask. Why should you wish to interfere? Listen, Tom;" and she sidled close up to him. "Why don't you go with them? Just think how happy we might be out of this place. For if you would go, I would go with you."

"Don't tempt me, Mercy."

"And we might set up a store in my own Vermont, and you might come to be a Congress man yet. You used to swear you liked me. Kinder nice sort of lover you are! Tom, why do you wish to ruin my father? They would take his nose away from him, and we should have to leave the place. You would never see me again after that."

"Mercy, I can't desert—I can't forswear myself!"

"Well, but, Tom, I don't ask you to desert; only let things be as they are. Don't stir them up. If Morgan wants you to let him go, why should you stop him? Ah! I see it's the reward, the bigger dollars you are thinking of. I didn't guess you were so mean, Tom!"

"Nonsense! I don't want the money; it's my duty to report them."

"Is it your duty to ruin us, too? But, Tom, they swear they will have your life. Don't be so obstinate, for my sake, Tom! It's not your duty to run into death's jaws!"

"Isn't it? I'm afraid it is sometimes. But will you promise to have nothing to do with that dark villain Teape—will you stick to me?"

"Are you going to give in? Will I promise? I'll swear never to marry any but you, my old darling Tom;" and she flung her arms round his neck and kissed him passionately.

Poor Atkins had no perception of the duplicity of her conduct; he gave in on the spot: all he knew was, that her kisses were on his cheek, and that she was to be his own girl for ever. But she disengaged herself suddenly, and rushed out of the room, heedless of the prisoner's earnest entreaty to be first let loose. In a few minutes Slam, the crimp, and Sergeant Morgan came into the room, and with them five or six men of the 175th. Sergeant Morgan spoke.

"Atkins," said he, "we are determined not to let you out of this room alive unless you join us, or unless you swear solemnly not to tell a soul what you heard an hour ago. Are you prepared to bind yourself?"

"I am," replied Atkins; and he was sworn.

"Undo him," said Morgan. He was unbound, and tottering from his long confinement, he made his way down stairs. Below, in the parlour, he met his Mercy, and putting his arm round her waist, he kissed her without that opposition which he had met with on the same spot a couple of hours before.

"Mercy, I have done it for you." Poor Tom had no fine-drawn notions of inward reservation, nor did he know that an oath, administered under compulsion, is not binding, legally or morally. As it was, he felt that he was a traitor to his cause. He could hardly look Sergeant Bampton in the face when he met him soon afterwards, and mumbled out some awkward excuse to explain his long absence. Nevertheless, he had no intention of playing the Sons of Freedom false; and in the evening when he looked into the little parlour in which he was confined, he felt it very pleasant to be on such intimate terms with Miss Slam. Mercy had long been a toast with the young sergeants and corporals of the garrison. Rumour said she rather favoured the gloomy mess-waiter, Teape. Be this as it may, Teape glared very ferociously at Tom, as he sat apart, whispering with Mercy, and pouring upon her such blandishments as would naturally occur to the mind of a lance-corporal. The officers at breakfast next morning universally agreed that Teape's temper was getting worse and worse. Had Jervois been admitted to Mr. Slam's parlour the night before, he would have been able to account for the dinners on his mutton-chop.

For some little time everything progressed without change; but six days after the occurrence which has been recorded, a message came about nine a.m. to Corporal Atkins, to say that he was wanted at the orderly-room. Now the orderly-room or "office," is a place invested with high and awful importance; to whomsoever comes a sudden summons to appear before the reigning power, that man trembles in his Wellington or his blucher, according as he is captain or private.

Strange to say, when Atkins arrived at the office, he found no one there but the colonel, the adjutant, and Teape, who was in uniform. Inwardly trembling, outwardly stiff and erect, with "the little fingers touching the seams of his trousers," Atkins awaited his fate.

"Corporal Atkins," said the colonel at length, "it has been reported to me that you and some other men of the regiment are engaged in a very foolish, not to say disgraceful, business; you had better tell me the truth. What do you know about the 'Sons of Freedom'?"

Atkins started, got very red, and hesitated. "I cannot tell you anything about that, sir."

"Do you know of the existence of any plot at present in progress in the regiment?"

"I am not at liberty to say, sir."

"You are not at liberty to tell me, your commanding officer? What d'ye mean? You are one of the garrison police. I demand explanation. Have you heard of what I am speaking?"

"I don't know, sir."

"Gracious heavens! Mr. Jervois, what does the man mean? I believe he is one of them himself. Now look here, Corporal Atkins; I cannot insist on your criminizing yourself, but I can do this—I can deprive you of your lance stripes, I can remove you from the police, and I can keep you a close prisoner until the matter is cleared up. Call a file of the guard, Mr. Jervois; there is no question of his guilt after what Teape has told us."

"I beg your pardon," said the sergeant-major, rushing in, "but the town-major's orderly has just come up with a letter marked 'most immediate.'"

The colonel opened it.

"Phew!" he whistled. "Jervois, we are too late, by Jove! The whole of the Lower Dock guard has bolted!"

"Oh, by the Lord!" said Jervois, very slowly, stroking his ponderous black moustache.

"There's no time to be lost. They have got four hours' start at the least. Sergeant-major, sound the orderly sergeant's call."

Within half an hour of the first intimation of the desertion two parties were being carried in pursuit as fast as horses could drag the light wagon behind them. Before nightfall the deserters were brought in by Slaibson's party. He had come upon them halted in a gully through which the road wound. Their arms were piled, no one was on the look-out, and they were surrounded, and surrendered.

That night, as Atkins was tramping up and down the prisoner's guard-room, cursing his ill fate and his enemy Teape, who had evidently betrayed him through jealousy, Sergeant Morgan and accomplices were brought in handcuffed and deposited in separate cells.

There was some slight confusion in the mess on the following

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Birds, 2s. 6d., there are plenty more, via.—

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Clark's oxy-hydrogen light, similar to the oxy-hydrogen blowpipes, but without the brass stand, suitable for magic lanterns, dissolving views, &c., price 2s. to 3s.

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